

**NOTICE OF HEARING  
MUNICIPAL CODE ENFORCEMENT BOARD  
CITY OF CLEARWATER, FLORIDA  
Case 173-25**

**Certified Mail  
November 7, 2025**

Owner: **Palmer, Charles E Jr Tre, Palmer, Charles E Jr Rev Trust  
Pullara, Joseph A, Pullar, Vivian E, Pullara, Peter,  
& Arnett, Melissa  
PO Box 146  
Safety Harbor, FL 34695-0146**

Violation Address: **431 Mandalay Ave., Clearwater  
08-29-15-02592-001-0030**

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, December 17, 2025, 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, & 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.

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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**

NAME OF VIOLATOR: PALMER, CHARLES E JR REV TRUST CITY CASE#: BIZ2025-00341  
MAILING ADDRESS: PALMER, CHARLES E JR TRE  
PO BOX 146  
SAFETY HARBOR FL, 34695-0146  
VIOLATION ADDRESS: 431 MANDALAY AVE  
CLEARWATER, FL  
DATE OF OFFICIAL NOTICE OF VIOLATION: 7/28/2025  
LEGAL DESCRIPTION OF PROPERTY: BARBOUR-MORROW SUB BLK A, LOTS 3 AND 4  
PARCEL #: 08-29-15-02592-001-0030  
DATE OF INSPECTION: 5/19/2025 1:09:00 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.
- 3-1806.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.
- 3-1804.J. - **\*\*SIDEWALK SIGNS\*\*** Sidewalk Signs, Except Permitted in Section 3-1807.B.4.

SPECIFICALLY,

TOUCANS GRILL: SWS W/O PERMIT

Primary retail businesses, restaurants and parking lots/garages are allowed to erect one sidewalk sign out front of their places of business if all 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 business it is advertising for and be permitted. At the property, there are sidewalk signs erected that don't have a permit. 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.

A violation exists and a request for hearing is being made.



Stefan Burghardt

SWORN AND SUBSCRIBED before me by means of X physical presence or \_\_\_\_\_ online notarization on this 20th day of October, 2025, by Stefan Burghardt.

STATE OF FLORIDA  
COUNTY OF PINELLAS

- PERSONALLY KNOWN TO ME
- PRODUCED AS IDENTIFICATION



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

(Notary Signature)

Allie Stewart

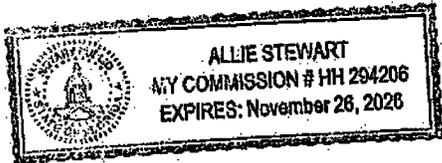
Name of Notary (typed, printed, stamped)

FILED THIS 20<sup>th</sup> DAY OF October, 2025

MCEB CASE NO. 173-25

Chloe 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

PALMER, CHARLES E JR REV TRUST  
PALMER, CHARLES E JR TRE  
PO BOX 146  
SAFETY HARBOR, FL 34695-0146

BIZ2025-00341

ADDRESS OR LOCATION OF VIOLATION: 431 MANDALAY AVE

LEGAL DESCRIPTION: BARBOUR-MORROW SUB BLK A, LOTS 3 AND 4

DATE OF INSPECTION: 5/19/2025

PARCEL: 08-29-15-02592-001-0030

### Section of City Code Violated:

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

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.

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: TOUCANS GRILL; SWS W/O PERMIT

Primary retail businesses, restaurants and parking lots/garages are allowed to erect one sidewalk sign out front of their places of business if all 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 business it is advertising for and be permitted. At the property, there is a sidewalk sign erected that doesn't have a permit. 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.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 8/28/2025. 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

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 3-1806.1a. 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. <sup>1</sup>
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 <sup>2</sup>
Permit Required	Yes <sup>3</sup>

- <sup>1</sup> 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.

<sup>2</sup> 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.

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

**AFFIDAVIT OF POSTING**

RECEIVED

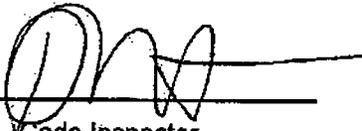
OCT 20 2025

City Case Number: BIZ2025-00341

Site of Violation: 431 MANDALAY AVE

CITY CLERK DEPARTMENT

1. Stefan Burghardt, being first duly sworn, deposes and says:
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 20th day of October, 2025, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 431 MANDALAY AVE, Clearwater, Florida.



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

STATE OF FLORIDA  
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of  physical presence or  online notarization on this 20th day of October, 2025, by Stefan Burghardt.

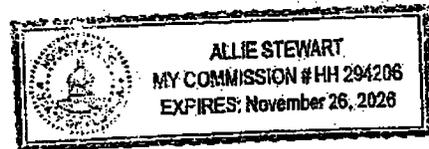
PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

Allie Stewart \_\_\_\_\_  
Type of Identification

(Notary Signature)  
Allie Stewart

Name of Notary (typed, printed, stamped)





**Parcel Summary (as of 20-Oct-2025) Parcel Map**

Parcel Number  
**08-29-15-02592-001-0030**

Owner Name  
 PALMER, CHARLES E JR TR E  
 PALMER, CHARLES E JR REV TRUST  
 PULLARA, JOSEPH A  
 PULLARA, VIVIAN E  
 PULLARA, PETER  
 ARNETT, MELISSA

Property Use  
 2125. Restaurant, Cafeteria

Site Address  
 431 MANDALAY AVE  
 CLEARWATER, FL 33767

Mailing Address  
 PO BOX 146  
 SAFETY HARBOR, FL 34695-0146

Legal Description  
 BARBOUR-MORROW SUB BLK A, LOTS 3 AND 4

Current Tax District  
 CLEARWATER (CW)

Year Built  
 1947



Heated SF	Gross SF	Living Units	Buildings
3,780	4,701	0	1

**Exemptions**

Year	Homestead	Use %	Status	Property Exemptions & Classifications
2027	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).
2026	No	0%		
2025	No	0%		

**Miscellaneous Parcel Info**

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Blk/Pg
23239/0469	Find Comps	<u>260.03</u>	A	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	23/45

**2025 Final Values**

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2025	\$975,000	\$975,000	\$975,000	\$975,000	\$975,000

**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
2024	N	\$1,010,000	\$1,010,000	\$1,010,000	\$1,010,000	\$1,010,000
2023	N	\$980,000	\$968,000	\$968,000	\$980,000	\$968,000
2022	N	\$950,000	\$880,000	\$880,000	\$950,000	\$880,000