

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 32-19**

Certified Mail
February 14, 2019

Owner: **1523 Tioga Ave Land Trust**
Trustee Co Tre
PO Box 430
Ozona, FL 34660-0430

Violation Address: **1523 Tioga Ave., Clearwater**
Carolina Terrace Annex Lot 21 & N 40 Ft of Lot 22

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, March 27, 2019, 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 **3-1407.A.1.c, 3-1407.A.2.d, 3-1407.A.3.d, & 3-1407.7** 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 purpose of this quasi-judicial Board of seven citizens is to quickly and fairly render decisions and facilitate enforcement of certain codes 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 silence electronic devices during the hearings.

FLORIDA STATUTE 286.0105 STATES THAT ANY PERSON APPEALING A DECISION OF THIS BOARD WILL NEED A RECORD OF THE PROCEEDINGS.

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA
AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

NAME OF VIOLATOR: 1523 TIOGA AVE LAND TRUST
MAILING ADDRESS: TRUSTEE CO TRE
PO BOX 430
OZONA, FL 34660-0430
CITY CASE#: CDC2018-02273

VIOLATION ADDRESS: 1523 TIOGA AVE
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 1/11/2019

LEGAL DESCRIPTION OF PROPERTY: CAROLINA TERRACE ANNEX LOT 21 & N 40FT OF LOT 22

PARCEL #: 22-29-15-13680-000-0210

DATE OF INSPECTION: 2/8/2019 1:50:00 PM

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

3-1407.A.1.c. - ****RV IN RIGHT OF WAY**** Any recreational vehicle, travel trailer, motor home or camping trailer shall not be parked or stored on any public right-of-way in a residential zoning district or on any right-of-way contiguous to a residentially zoned property.

3-1407.A.2.d. ****RV IN AREA BETWEEN THE PRINCIPAL STRUCTURE AND THE STREET RIGHT-OF-WAY**** A recreational vehicle, travel trailer, motor home or camping trailer shall not be parked or stored, in whole or in part, in a front setback and/or forward of the building line of the principal structure and any right-of-way line in a residential zoning district.

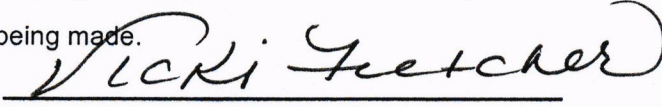
3-1407.A.3.d. ****RV IN SIDE OR REAR SETBACK NOT SCREENED BY FENCE, WALL OR HEDGE**** Recreational vehicles, trailers, motor homes and camping trailers may be parked or stored, in whole or in part, in a side or rear setback behind the front building line of the principal structure in a residential zoning district provided such vehicles are screened with a six-foot high solid fence, wall or hedge. Installation of a fence, wall, and appropriate parking surface must be approved and permitted. The parking surface must be permitted in all instances.

3-1407.A.7. - **Parking on Unpaved Area Prohibited.** No parking, displaying, or storing of vehicles, trailers, and/or boats shall be permitted on any grass surface or other unpaved area zoned for any use unless specifically authorized in this section.

SPECIFICALLY,

During several recent inspections, the above listed condition(s) existed at this property, and must be addressed in accordance with residential parking ordinances. A rv is continually being stored in the front of the property. Any RV that is going to be parked or stored on the property must be screened as noted in the ordinance above, AND that area where the parking will be must be on an approved parking surface (i.e. pavement, concrete, pavers). These items will require issuance of a Building Permit prior to commencement).

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

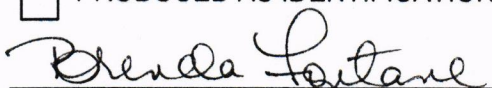

Vicki Fletcher

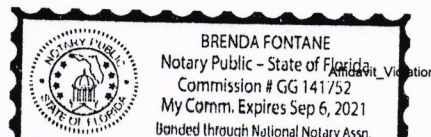
SWORN AND SUBSCRIBED before me on this 8th day of February, 2019, by Vicki Fletcher.

STATE OF FLORIDA
COUNTY OF PINELLAS

- ☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION

Type of Identification





(Notary Signature)

Name of Notary (typed, printed, stamped)

FILED THIS 13th DAY OF February, 2019

MCEB CASE NO. 32-19

Heide 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

1523 TIOGA AVE LAND TRUST
TRUSTEE CO TRE
PO BOX 430
OZONA, FL 34660-0430

CDC2018-02273

ADDRESS OR LOCATION OF VIOLATION: **1523 TIOGA AVE**

LEGAL DESCRIPTION: CAROLINA TERRACE ANNEX LOT 21 & N 40FT OF LOT 22

DATE OF INSPECTION: 1/11/2019

PARCEL: 22-29-15-13680-000-0210

Section of City Code Violated:

3-1407.A.1.c. - **RV IN RIGHT OF WAY** Any recreational vehicle, travel trailer, motor home or camping trailer shall not be parked or stored on any public right-of-way in a residential zoning district or on any right-of-way contiguous to a residentially zoned property.

3-1407.A.2.d. **RV IN AREA BETWEEN THE PRINCIPAL STRUCTURE AND THE STREET RIGHT-OF-WAY** A recreational vehicle, travel trailer, motor home or camping trailer shall not be parked or stored, in whole or in part, in a front setback and/or forward of the building line of the principal structure and any right-of-way line in a residential zoning district.

3-1407.A.3.d. **RV IN SIDE OR REAR SETBACK NOT SCREENED BY FENCE, WALL OR HEDGE** Recreational vehicles, trailers, motor homes and camping trailers may be parked or stored, in whole or in part, in a side or rear setback behind the front building line of the principal structure in a residential zoning district provided such vehicles are screened with a six-foot high solid fence, wall or hedge. Installation of a fence, wall, and appropriate parking surface must be approved and permitted. The parking surface must be permitted in all instances.

3-1407.A.7. - Parking on Unpaved Area Prohibited. No parking, displaying, or storing of vehicles, trailers, and/or boats shall be permitted on any grass surface or other unpaved area zoned for any use unless specifically authorized in this section.

Specifically: During several recent inspections, the above listed condition(s) existed at this property, and must be addressed in accordance with residential parking ordinances. A rv is continually being stored in the front of the property. Any RV that is going to be parked or stored on the property must be screened as noted in the ordinance above, AND that area where the parking will be must be on an approved parking surface (i.e. pavement, concrete, pavers).

These items will require issuance of a Building Permit prior to commencement).

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO **1/27/2019**. 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.

Inspector: Vicki Fletcher

NOV_PropOwn



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

Inspector Phone: 727-562-4728

Date Printed: 1/11/2019

3. Drive-thru facilities for banks shall provide sufficient stacking spaces as measured from the first point of transaction in accordance with the following table:

Number of Proposed Drive-Thru Lanes	Total Number of Required Vehicle Stacking Spaces
One	8
Two	12
Three	18
Each Additional Lane	2 Additional Spaces

4. Additional stacking may be required as a condition of site plan approval. The length of the stacking area may be reduced when supported by a traffic study.
(Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 7631-06, § 5, 11-2-06; Ord. No. 8043-09, § 30, 9-3-09; Ord. No. 8715-15, § 14, 6-18-15; Ord. No. 8810-16, § 16, 1-21-16)

Section 3-1407. Parking restrictions in residential areas.

A. *Restrictions.* For the dual purpose of preserving attractive residential areas within the city and promoting safe unimpeded traffic circulation throughout such neighborhoods, the following parking restrictions shall apply except as provided in paragraph B of this section:

1. *Within street right-of-way.* The following vehicles shall not be parked or stored on any public right-of-way in a residential zoning district or on any right-of-way contiguous to a residentially zoned property:
 - a. Any boat or boat trailer;
 - b. Any hauling trailer;
 - c. Any of the following recreational vehicles: travel trailers, motor homes and camping trailers;
 - d. Any commercial vehicle.
 - e. Any race car, dune buggy, farm equipment, go kart, ATV, or other similar vehicle not designated for street operation.
2. *Between principal structure and right-of-way.* The following vehicles shall not be parked or stored, in whole or in part, in a front setback and/or forward of the building line of the principal structure and

any right-of-way line in a residential zoning district up to a maximum of two frontages:

- a. Boat in excess of 20 feet;
 - b. Any boat trailer in excess of 25 feet total length or in excess of five feet longer than any boat occupying the trailer;
 - c. Hauling trailer;
 - d. Recreational vehicles, travel trailers, motor homes and camping trailers.
 - e. Any commercial vehicle which measures in excess of 20 feet in total chassis and body length, seven feet in total width or seven feet in total height, including appurtenances, equipment and cargo.
 - f. Any race car, dune buggy, farm equipment, go kart, ATV, or other similar vehicle not designated for street operation.
3. *Parking in the side or rear setback.* The following vehicles may be parked or stored, in whole or in part, in a side or rear setback behind the front building line of the principal structure in a residential zoning district provided such vehicles are screened with a six-foot high solid fence, wall or hedge:
 - a. Boat in excess of 20 feet;

- b. Boat trailer in excess of 25 feet;
 - c. Hauling trailer;
 - d. Recreation vehicles, trailers, motor homes and camping trailers; and
 - e. Any race car, dune buggy, farm equipment, go kart, ATV, or other similar vehicle not designated for street operation.
4. *Large vehicles.* The following vehicles shall be not be parked or stored in any residential zoning districts:
- a. Commercial vehicles measuring in excess of 20 feet in total chassis and body length, seven feet in total width or seven feet in total height, including appurtenances, equipment and cargo are prohibited; and
 - b. Semi-tractor trailer, semi-tractor cab or any garbage truck, pump-out truck, chemical truck, gasoline truck, fuel oil truck or similar vehicle designed to transport wastes or hazardous or noxious materials.
5. *Exception to prohibition of parking on unpaved areas on single-family and duplex residential property.* One designated parking space may be located on the grass in a required front setback adjacent to and parallel to the driveway located on the property. Access to such designated parking space shall be by way of the property's driveway. If the designated parking space can not be maintained as a grass area and is either reported by neighboring residents as a detrimental property or is identified by any code inspector as in violation of this provision, such designated parking area shall be filled in, by the property owner, with pavers, concrete, turf block or asphalt. Materials not permitted include crushed shell, mulch, millings or similar material.
7. *Parking on unpaved area prohibited.* No parking, displaying, or storing of vehicles, trailers and/or boats shall be permitted

on any grass surface or other unpaved area zoned for any use unless specifically authorized in this section.

B. Exception.

- 1. Commercial vehicles during the actual performance of a service at the premises where the vehicle is parked.
- 2. Loading, unloading, or cleaning of vehicles, but not including semitrailer trucks or cabs, provided such activity is fully completed within 24 hours and provided such activity does not occur at the same location more than two times per month.
- 3. Emergency vehicles.
(Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 6595-00, § 6, 9-7-00; Ord. No. 6928-02, §§ 65—70, 5-2-02; Ord. No. 7605-06, § 26, 4-20-06; Ord. No. 7835-07, § 17, 1-17-08; Ord. No. 8211-10, § 10, 10-5-10)

Section 3-1408. Parking restrictions in commercial areas.

Commercial trucks, semi-tractor trailers, cabs and other commercial vehicles shall be permitted to be parked or stored on commercial property only if such vehicles are associated with the property on which they are located.
(Ord. No. 6526-00, § 1, 6-15-00)

Section 3-1409. Handicapped parking spaces.

A. All new or expanded uses shall be provided with handicapped parking spaces based upon the number of spaces required to serve the new or expanded use, as follows:

Total Spaces Required in Parking Lot	Number of Handicapped Spaces
1—25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7

[Interactive Map of this parcel](#)[Sales Query](#)[Back to Query Results](#)[New Search](#)[Tax Collector Home Page](#)[Contact Us](#)

WM

22-29-15-13680-000-0210Compact Property Record Card[Tax Estimator](#)**Updated February 8, 2019**[Email](#) [Print](#)[Radius Search](#)[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
1523 TIOGA AVE LAND TRUST TRUSTEE CO TRE PO BOX 430 OZONA FL 34660-0430	1523 TIOGA AVE CLEARWATER



Property Use: 0110 (Single Family Home)

Total Living: SF: 1,170 Total Gross SF: 1,770 Total Living Units: 1

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

CAROLINA TERRACE ANNEX LOT 21 & N 40FT OF LOT 22

Tax Estimator <input type="checkbox"/> File for Homestead Exemption			2019 Parcel Use
Exemption	2019	2020	
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 (NOT the same as a FEMA Flood Zone)	Flood Zone (NOT the same as your evacuation zone)	Plat Book/Page
19516/1566	\$106,800 Sales Query	121030258002	NON EVAC	Compare Preliminary to Current FEMA Maps	12/30

2018 Interim Value Information

Year	Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2018	\$86,772	\$86,772	\$86,772	\$86,772	\$86,772

[\[click here to hide\] 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
2017	No	\$50,724	\$50,724	\$50,724	\$50,724	\$50,724
2016	No	\$55,767	\$53,299	\$53,299	\$55,767	\$53,299
2015	No	\$52,672	\$48,454	\$48,454	\$52,672	\$48,454
2014	No	\$44,049	\$44,049	\$44,049	\$44,049	\$44,049
2013	No	\$46,852	\$46,852	\$46,852	\$46,852	\$46,852
2012	No	\$36,334	\$36,334	\$36,334	\$36,334	\$36,334
2011	No	\$49,170	\$49,170	\$49,170	\$49,170	\$49,170
2010	No	\$63,914	\$63,914	\$63,914	\$63,914	\$63,914
2009	No	\$85,504	\$85,504	\$85,504	\$85,504	\$85,504
2008	No	\$117,400	\$117,400	\$117,400	\$117,400	\$117,400
2007	No	\$119,700	\$119,700	\$119,700	N/A	\$119,700
2006	No	\$118,700	\$118,700	\$118,700	N/A	\$118,700
2005	No	\$90,000	\$90,000	\$90,000	N/A	\$90,000
2004	Yes	\$81,200	\$43,300	\$18,300	N/A	\$18,300
2003	Yes	\$62,500	\$42,500	\$17,500	N/A	\$17,500
2002	Yes	\$58,800	\$41,500	\$16,500	N/A	\$16,500
2001	Yes	\$58,500	\$40,900	\$15,900	N/A	\$15,900
2000	Yes	\$48,800	\$39,800	\$14,800	N/A	\$14,800
1999	Yes	\$45,900	\$38,800	\$13,800	N/A	\$13,800
1998	Yes	\$44,900	\$38,200	\$13,200	N/A	\$13,200
1997	Yes	\$37,600	\$37,600	\$12,600	N/A	\$12,600
1996	Yes	\$36,900	\$36,900	\$11,900	N/A	\$11,900

2018 Tax Information

2018 Tax Bill	Tax District: CW
2018 Final Millage Rate	20.9154
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 exemptions, reset of the Save Our Homes or 10% Cap, and/or market conditions. Please use our new Tax Estimator to estimate taxes under new ownership.	

Ranked Sales (What are Ranked Sales?) [See all transactions](#)

Sale Date	Book/Page	Price	Q/U	V/I
02 Feb 2017	19516 / 1566	\$46,000	U	I
17 Mar 2009	16538 / 0896	\$89,400	Q	I
16 Jul 2007	15888 / 2170	\$89,700	U	I
29 Dec 1995	09207 / 1365	\$49,000	Q	I

2018 Land Information

Seawall: No

Frontage: None

View:

Land Use	Land Size	Unit Value	Units	Total Adjustments	Adjusted Value	Method
Single Family (01)	80x105	385.00	80.1000	0.9682	\$29,858	FF

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.

1. Article Addressed to:

1523 TIOGA AVE 1and
TRUSTEE CO TRE RECEIVED
PO BOX 430
0267A FI 34 PLANNING & DEVELOPMENT
JAN 24 2019



9590 9402 3761 8032 0147 15

2. Article Number (Transfer from service label)

7018 0360 0001 4779 6993

COMPLETE THIS SECTION ON DELIVERY

A. Signature

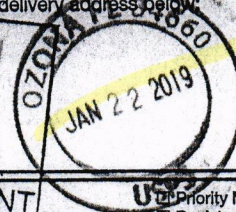
Phonda DeSantis☐ Agent☐ Addressee

B. Received by (Printed Name)

Phonda DeSantis

C. Date of Delivery

1/22/19

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service(s) Selected

☐ Adult Signature☐ Adult Signature Restricted Delivery☐ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery

Mail

Mail Restricted Delivery

(00)

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Return Receipt for Merchandise☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery