

# City of Clearwater

*Main Library - Council Chambers  
100 N. Osceola Avenue  
Clearwater, FL 33755*



## Meeting Minutes

**Wednesday, May 22, 2024**

**1:30 PM**

**Main Library - Council Chambers**

## **Municipal Code Enforcement Board**

**Roll Call**

**Present** 5 - Chair Greg Brown, Board Member David Farrar, Board Member Robert Kenne, Board Member C. Daniel Engel, and Board Member Duane Schultz

**Absent** 1 - Board Member KerryAnn Rainey

**Also Present** – Andy Salzman – Attorney for the Board, Jerrod Simpson – Assistant City Attorney, and Nicole Sprague – Secretary to the Board

**1. Call To Order**

*The Chair called the meeting to order at 1:30 p.m. at the Main Library, followed by the Pledge of Allegiance.*

**2. Approval of Minutes**

2.1 Approve the minutes of the April 24, 2024 Municipal Code Enforcement Board meeting as submitted in written summation.

**Member Farrar moved to approve the minutes of the April 24, 2024 Municipal Code Enforcement Board meeting as submitted in written summation. The motion was duly seconded and carried unanimously**

**3. Citizens to be Heard Regarding Items Not on the Agenda:** None.

**4. New Business Items**

4.1 Continued from February 28, 2024 - Case 32-22 - Status Update regarding respondent(s) Coachman Creek Condo Assn. at 2625 SR 590 Bldg 5 in violation of Code for Unsafe Building. (Cantrell)

*Inspector Nardin provided an update and said the work is near completion.*

4.2 Continued from April 24, 2024 - Case 51-24 - Find respondent(s) Pro Star Multi Services LLC at 19080 US Highway 19 N in violation of Code for Prohibited Signage; and issue an order with the compliance deadline and fine if compliance is not met. (Burghardt)

*Property owner Reciye Cenik was present.*

*Inspector Burghardt provided a PowerPoint presentation. He said this is a repeat violation as the same issue came before the Code Board in November 2023; the violation was corrected prior to the hearing. A display sign on the business has changing lights and words which is prohibited. He showed videos of the violation occurring on February 21 and February 22, 2024.*

*Ms. Cenik said new lighting was ordered and she didn't know they would be in violation of code. She has since corrected the issue and there are no flashing lights or words. In response to a question, she said when she received the notice of violation she didn't know if she could just unplug the sign because all electronics, including the security system, were tied together and she didn't know what other electronic would be taken offline.*

**Member Farrar moved to find the Respondent was in violation of the Code as referred to in the affidavit in this case and has committed a repeat violation.**

**Member Farrar moved to enter an order that a fine of \$500.00 be imposed for the two days the repeat violation existed payable within 30 days. If fines and fees remain unpaid 3 months after such lien is filed, the City is authorized to foreclose, collect or settle such lien. If the Respondent repeats the violation, the Board may order a fine of up to \$500 for each day the violation continues to exist.**

- 4.3** Continued from April 24, 2024, Continue to June 26, 2024 - Case 52-24 - Find respondent(s) Riti Investments LLC at 1915 Drew St. in violation of Code for Sign Maintenance; and issue an order with the compliance deadline and fine if compliance is not met. (Burghardt)

*Case 52-24 was automatically continued to June 26, 2024.*

- 4.4** Case 56-24 - Find respondent(s) Clearwater Res Trust, Ficken, James R Tre at 1608 N Osceola Ave. in violation of Code for Exterior Surfaces, Roof Maintenance, Landscape, Abandoned Building, and Inoperative Vehicle; and issue an order with the compliance deadline and fine if compliance is not met. (Kasman)

*Property representative James Ficken was present.*

*Inspector Kasman provided a PowerPoint presentation. He said he was in touch with the property owner on and off over the past few months. He said there are dead plants in the front yard, exterior siding is missing, the roof needs cleaned and there is rust on the gutters, the exterior surface on the garage needs cleaned, a trailer parked on the property does not have a license plate, and a car parked in the driveway has an expired license tag. He said the utilities have been off since 2019. He said the property owner has been doing what he can, but without utilities, no garbage is being picked up.*

*Mr. Ficken said the property has been vacant since 2014 when his mom got sick and passed away. The property has not received attention. He said he is doing what he can to fix the property but he has a full time job.*

*He said the car has been removed from the property. The exterior surfaces have been chemically washed and he has trimmed the vegetation. He is working on getting the trailer removed.*

**Member Farrar moved to find the Respondent in violation of the City of Clearwater Code as referred to in the affidavit in this case. The motion was duly seconded and carried unanimously.**

**Member Farrar moved to enter an order requiring the Respondent to correct the violation on or before July 11, 2024. If the Respondent does not comply within the time specified the Board may order a fine of \$150.00 per day per violation for each day each violation continues to exist. After 3 months from the recordation date of such lien, if the fines and fees remain unpaid, the City Attorney's office is authorized to foreclose, collect, or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.**

- 4.5** Case 57-24 - Find respondent(s) George and Rasha Solomon at 313 Leeward Is in violation of Code for Short Term Rental and Residential Rental Business Tax Receipt; and issue an order with the compliance deadline and fine if compliance is not met. (Green)

*Property representative Alexandra Solomon was present.*

*Inspector Sarah Green said the property came into compliance prior to the meeting.*

**Member Farrar moved to find the Respondent was in violation of the City of Clearwater Code as referred to in the affidavit in this case, the violation was corrected prior to today's hearing, and to enter an order that no fine be imposed against the Respondent. If the Respondent repeats the violation, the Board may order a fine of up to \$500 for each day the violation continues to exist. The motion was duly seconded and carried unanimously.**

- 4.6** Case 58-24 - Find respondent(s) Jinbai Wang and Xing Tong at 200 Windward Is in violation of Code for Short Term Rental; and issue an order with the compliance deadline and fine if compliance is not met. (Green)

*No one was present to represent the Respondent.*

*Inspector Green provided a PowerPoint presentation. She said online screenshots of the property on a rental website shows no minimum stay requirement. She said there was one day where the posting was changed*

*to reflect the minimum night stay required by Code, but then it was changed to a three-night minimum stay.*

*In response to a question, she said the certified mail was returned unclaimed.*

*One individual said he lives north of the property and there is overgrown trees that impact his property and trash is not taken to the curb for weeks at a time, attracting rats and crows. He has approached the homeowner who says he will address the issues, but never does. He said the property is rented for less than the minimum required by Code.*

**Member Kenne moved to find the Respondent in violation of the Code as referred to in the affidavit in this case. The motion was duly seconded and carried unanimously.**

**Member Kenne moved to enter an order requiring the Respondent to correct the violations on or before June 3, 2024. If the Respondent does not comply by that date, the Board may order a fine of \$150 per day per violation for each day each violation continues to exist. If fines and fees remain unpaid 3 months after such lien is filed, the City is authorized to foreclose, collect, or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.**

- 4.7** WITHDRAWN - Case 59-24 - Find respondent(s) Ronald Vigneault and Lauren Mones at 709 Bruce Ave. in violation of Code for Residential Rental Business Tax Receipt; and issue an order with the compliance deadline and fine if compliance is not met. (Green)

*Case 59-24 was withdrawn.*

- 4.8** WITHDRAWN - Case 60-24 - Find respondent(s) John S Taylor Properties LLC at 1280 S Missouri Ave. in violation of Code for Window Signs; and issue an order with the compliance deadline and fine if compliance is not met. (Burghardt)

*Case 60-24 was withdrawn.*

- 4.9** Continue to June 26, 2024 - Case 61-24 - Find respondent(s) Greek Orthodox Church of the Holy Trinity Inc at 2540 Gulf to Bay Blvd. in violation of Code for Signage; and issue an order with the compliance deadline and fine if compliance is not met. (Burghardt)

*Case 61-24 was automatically continued.*

**4.10** WITHDRAWN - Case 66-24 - Find respondent(s) Garden Suites LLC at 530 Park St. in violation of Code for Unsafe Building; and issue an order with the compliance deadline and fine if compliance is not met. (Nardin)

*Case 66-24 was withdrawn.*

## **5. Old Business Items**

**5.1** Accept the Affidavits of Compliance as listed.

5.1.1 Case 81-23 Affidavit of Compliance

Robert & Shawn Schoeller

632 Drew St.

Exterior Surfaces - Kasman

5.1.2 Case 132-23 Affidavit of Compliance

Family Home Florida Enterprises Corp

32 N Ft. Harrison Ave.

Exterior Surfaces - Kasman

5.1.3 Case 147-23 Affidavit of Compliance

Herbert Miller

302 Pennsylvania Ave.

Lot Clearing - Dixon

5.1.4 Case 06-24 Affidavit of Compliance

Mesa Verde Assets LLC

18 S Jupiter Ave 1

Abandoned Building - Stephens

5.1.5 Case 19-24 Affidavit of Compliance

Gilbert Jannelli

1124 LaSalle St

Abandoned Building - Dixon

5.1.6 Case 20-24 Affidavit of Compliance

Progress Residential Borrower 24 LLC

712 Canterbury Rd.

Exterior Storage - Stephens

5.1.7 Case 37-24 Affidavit of Compliance

Nancy O'Neill

1360 Druid Rd.

Residential Grass Parking - Jehnzen

**Member Farrar moved to accept the Affidavits of Compliance for Cases 81-23, 132-23, 147-23, 06-24, 19-24, 20-24, and 37-24. The motion was**

**duly seconded and carried unanimously.**

- 5.2** Continued from February 28, March 27, and April 24, 2024, - Case 127-23 - Accept the Affidavit(s) of Non-Compliance for respondent(s) Dorothy Fraley at 1754 Apache Trl for Exterior Surfaces and Exterior Storage. (Dixon)

*No one was present to represent the Respondent.*

*Inspector Dixon provided a PowerPoint presentation. He said the RV had been removed from the property and the bottom portion of the front of the house has received attention, but the exterior still needs to be painted. A lot of items are still being stored on the property.*

**Member Farrar moved to find the Affidavit of Non-Compliance and issue an order that states if fines and fees remain unpaid 3 months after such lien is filed, the City is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.**

- 5.3** WITHDRAWN - Continued from April 24, 2024 - Case 06-24 - Accept the Affidavit(s) of Non-Compliance for respondent(s) Mesa Verde Assets LLC at 18 S Jupiter Ave. for Abandoned Building. (Stephens)

*Case 06-24 was withdrawn.*

- 5.4** WITHDRAWN - Case 20-24 - Accept the Affidavit(s) of Non-Compliance for respondent(s) Progress Residential Borrower 24 LLC at 712 Canterbury Rd. for Exterior Storage. (Stephens)

*Case 20-24 was withdrawn.*

- 5.5** Case 141-23 - Accept the Affidavit(s) of Non-Compliance for respondent(s) QT Homes LLC, Srnka, Gilbert P Est at 1233 Lakeview Rd. for Landscape Required. (Touray)

*No one was present to represent the Respondent.*

*Inspector Touray provided a PowerPoint presentation. He said he had been in contact with the homeowner a few times and she was waiting for the property to be transferred into her name so she could pull permits to complete the work. He said he has given ample time for that process and the property is still in violation.*

**Member Farrar moved to find the Affidavit of Non-Compliance and issue an order that states if fines and fees remain unpaid 3 months after such lien is filed, the City is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.**

## **6. Other Board Action**

- 6.1** Case 139-17 - Request to stop lien accrual for Torin McCray at 1326 Fairmont St., in violation of Code for Lot Clearing. (Dixon)

*Inspector Dixon provided a PowerPoint presentation. He said the lot clearing violation is still accruing at \$150.00 per day and he would like the Board to order a stop to the lien accrual to pursue another avenue of enforcement. He said a nuisance abatement case will be pursued as the property needs to be mowed and trash removed. In response to a question, he said people are living in the house.*

**Member Farrar moved to stop the lien accrual for the lot clearing violation for Case 141-23. The motion was duly seconded and carried unanimously.**

- 6.2** Case 49-11 - Consider request by petitioner(s) Coby Alain at 1317 Byron Dr. to reduce the fine re Exterior Surfaces; and if approved, issue an order that specifies a fine that includes administration costs and establishes a date payable or the lien will revert to its original amount.

*Mr. Alain said he did not own the property when the violations occurred and the property was purchased as part of a bulk sale. The property was brought into compliance once he owned it.*

*Board Attorney Andy Salzman said the administrative and investigative costs total \$1,135.20.*

**Member Kenne moved to enter an order reducing the amount of the lien for Case 49-11 to administrative costs of \$1,135.20 payable within 30 days or the lien will revert to its original amount. The motion was duly seconded and carried unanimously.**

- 6.3** Case 19-17 - Consider request by petitioner(s) 619 Woodlawn St Land Trust at 619 Woodlawn St. to reduce the fine re Inoperative Vehicle, Grass Parking, Roof Maintenance, and Exterior Storage; and if approved, issue an order that specifies a fine that includes administration costs and establishes a date payable or the lien will revert to its original amount.

*Property representative Pauline Armos-Roux said the previous property management company did not inform the Trust of the violations and did not do anything to bring the property into compliance. A new management company has taken care of the property.*

*Code Compliance Manager Rebecca Mulder said violations still exist at the property.*



**Member Kenner moved to continue Case 19-17 to the next meeting. The motion was duly seconded and carried unanimously.**

- 6.4** Cases 02-21, 93-21, and 135-21 - Consider request by petitioner(s) Christine Dorcelus at 214 S Highland Ave. to reduce the fine re Short Term Rental, Grass Parking, and Delinquent Business Tax Receipt; and if approved, issue an order that specifies a fine that includes administration costs and establishes a date payable or the lien will revert to its original amount.

*Property representative Nikky Yang-Victorino read a statement from the property owner requesting a lien reduction and due to personal reasons will not be returning to Clearwater.*

*Code Compliance Manager Rebecca Mulder said the violations have been corrected. She said there is an active case on the property for overgrowth and debris.*

*Board Attorney Andy Salzman said the administrative and investigative costs total \$2989.60 for all three cases.*

**Member Kenne moved to enter an order reducing the amount of the lien for Cases 02-21, 93-21, and 135-21 to administrative costs of \$2,989.60 payable within 30 days or the lien will revert to its original amount. The motion was duly seconded and carried unanimously.**

## **7. Nuisance Abatement Lien Filings**

- 7.1** Case 65-24 (PNU2024-00239) - Accept the Nuisance Abatement Lien for respondent(s) Nezer Enterprises LLC at 1403 Gulf to Bay Blvd. for Inoperative Vehicle; and issue an order with the compliance deadline and authorize the City to mitigate the violation if compliance is not met. (Stephens)

*No one was present to represent the Respondent.*

*Inspector Stephens provided a PowerPoint presentation. He said a vehicle parked on the property has a flat tire and an expired license plate. He said the numbers on the sticker on the license plate does not match the numbers on the license tag. He said when he went back to the property for reinspection, the tire was still flat, and a new license plate was on the vehicle with a current sticker, but the numbers on the sticker did not match the numbers on the license plate.*

**Member Kenne moved to enter an order finding the Respondent in violation of the City of Clearwater Code and requiring the Respondent to correct the violations within five days of the Board's written order. If**

**the Respondent does not comply within the time specified, the City may take all reasonable actions including entry onto the property, to abate and maintain the nuisance, and charge the Respondent with the reasonable costs which will become a lien on the property. After 3 months from the recordation date of such lien, if the costs remain unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.**

- 7.2** Case 67-24 (PNU2024-00332) - Accept the Nuisance Abatement Lien for respondent(s) Andria Beshir and Ester Mechaiel at 1033 Fairwood Ave. for Lot Clearing; and issue an order with the compliance deadline and authorize the City to mitigate the violation if compliance is not met. (Still)

*No one was present to represent the Respondent.*

*Inspector Still provided a PowerPoint presentation. He said yard debris, scrap, building materials, and furniture is littered around the property. The grass has grown in excess of 12 inches. The neighbor granted him access to view the backyard where there is more debris and general overgrowth. He said he was supposed to meet with the property owner on May 8, but they did not show up and there has been no further communication. The utilities have been disconnected since June 2023.*

**Member Kenne moved to enter an order finding the Respondent in violation of the City of Clearwater Code and requiring the Respondent to correct the violations within five days of the Board's written order. If the Respondent does not comply within the time specified, the City may take all reasonable actions including entry onto the property, to abate and maintain the nuisance, and charge the Respondent with the reasonable costs which will become a lien on the property. After 3 months from the recordation date of such lien, if the costs remain unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.**

- 7.3** WITHDRAWN - Case 68-24 (PNU2024-00402) - Accept the Nuisance Abatement Lien for respondent(s) Jericha Davis at 1342 Tuscola St. for Inoperative Vehicle; and issue an order with the compliance deadline and authorize the City to mitigate the violation if compliance is not met. (Jehnzen)

*Case 68-24 was withdrawn.*

- 7.4** Case 78-24 (PNU2024-00484) - Accept the Nuisance Abatement Lien for respondent(s)

Alpine Oaks Apartments Inc at 2007 Alpine Rd #1 for Lot Clearing; and issue an order with the compliance deadline and authorize the City to mitigate the violation if compliance is not met. (Dixon)

*No one was present to represent the Respondent.*

*Inspector Dixon provided a PowerPoint presentation. He said the property is littered with debris and trash. He said the property is an apartment complex. There are mattresses and furniture stacked up in piles around the property. He said he has been in contact with the property manager who said they have a junk removal company to come and haul away debris.*

**Member Farrar moved to enter an order finding the Respondent in violation of the City of Clearwater Code and requiring the Respondent to correct the violations within five days of the Board's written order. If the Respondent does not comply within the time specified, the City may take all reasonable actions including entry onto the property, to abate and maintain the nuisance, and charge the Respondent with the reasonable costs which will become a lien on the property. After 3 months from the recordation date of such lien, if the costs remain unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.**

- 7.5** Case 79-24 (PNU2024-00458) - Accept the Nuisance Abatement Lien for respondent(s) Robert E Cox at 1204 Claire Dr. for Inoperative Vehcile; and issue an order with the compliance deadline and authorize the City to mitigate the violation if compliance is not met. (Dixon)

*No one was present to represent the Respondent.*

*Inspector Dixon provided a PowerPoint presentation. He said an inoperative vehicle with flat tires and an expired license plate is in the driveway. The license plate expired in 2015. The house is vacant and all mail has been returned.*

**Member Engel moved to enter an order finding the Respondent in violation of the City of Clearwater Code and requiring the Respondent to correct the violations within five days of the Board's written order. If the Respondent does not comply within the time specified, the City may take all reasonable actions including entry onto the property, to abate and maintain the nuisance, and charge the Respondent with the reasonable costs which will become a lien on the property. After 3 months from the recordation date of such lien, if the costs remain**

**unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.**

- 7.6** Case 80-24 (PNU2024-00457) - Accept the Nuisance Abatement Lien for respondent(s) Jessie Williams at 1320 Springdale St. for Inoperative Vehicle; and issue an order with the compliance deadline and authorize the City to mitigate the violation if compliance is not met. (Dixon)

*No one was present to represent the Respondent.*

*Inspector Dixon provided a PowerPoint presentation. He said the property is vacant and all mail has been returned. He said an older vehicle is parked in the driveway, sitting on blocks with flat tires. There is no license plate on it. He said the owner is in a nursing home and the family does not want to deal with it.*

**Member Farrar moved to enter an order finding the Respondent in violation of the City of Clearwater Code and requiring the Respondent to correct the violations within five days of the Board's written order. If the Respondent does not comply within the time specified, the City may take all reasonable actions including entry onto the property, to abate and maintain the nuisance, and charge the Respondent with the reasonable costs which will become a lien on the property. After 3 months from the recordation date of such lien, if the costs remain unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.**

- 7.7** Case 81-24 (PNU2024-00456) - Accept the Nuisance Abatement Lien for respondent(s) P&B Florida Land Trust 2000 at 1090 Apache Trail for Lot Clearing; and issue an order with the compliance deadline and authorize the City to mitigate the violation if compliance is not met. (Dixon)

*No one was present to represent the Respondent.*

*Inspector Dixon provided a PowerPoint presentation. He said the lot is vacant with an accumulation of trash and debris. There is a homeless camp tucked in the vegetation.*

**Member Schultz moved to enter an order finding the Respondent in violation of the City of Clearwater Code and requiring the Respondent to correct the violations within five days of the Board's written order. If the Respondent does not comply within the time specified, the City may take all reasonable actions including entry onto the property, to**

**abate and maintain the nuisance, and charge the Respondent with the reasonable costs which will become a lien on the property. After 3 months from the recordation date of such lien, if the costs remain unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.**

**8. Adjourn**

*The meeting adjourned at 3:28 p.m.*

\_\_\_\_\_  
Chair, Municipal Code Enforcement Board

Attest:

\_\_\_\_\_  
Secretary to the Board