

CITY OF CLEARWATER

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
CITY HALL, 112 SOUTH OSCEOLA AVENUE, CLEARWATER, FLORIDA 33756
TELEPHONE (727) 562-4090 FAX (727) 562-4086

OFFICIAL RECORDS AND
LEGISLATIVE SERVICES

Certified Mail

November 19, 2018

Mary G Realty Inc
1803 Wood Trail St
Tarpon Springs, FL 34689-7549

RE: Municipal Code Enforcement Board Case 177-18
490 Mandalay Ave., Clearwater

Dear Sir/Madam:

The public hearing of the above-referenced case was continued to the meeting of Wednesday, January 23, 2019 at 1:30 p.m.. **Please note, the meeting location has changed from your original Notice of Hearing.** The meeting will be held at the City of Clearwater Main Library, Meeting Room A/B, 100 N Osceola Ave., Clearwater, Florida.

Enclosed please find the paperwork regarding this case which serves as official notice of said hearing.

Sincerely,

Nicole Sprague
Municipal Code Enforcement Board Secretary

Enclosure

S:\MCEB\Masters\Letters\Letter Case Cont'd - Enclose Paperwork.docx



**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 177-18**

Certified Mail
November 8, 2018

Owner: **Mary G Realty Inc**
1803 Wood Trail St
Tarpon Springs, FL 34689-7549

Violation Address: **490 Mandalay Ave., Clearwater**
Clearwater Beach Park Lots 57, 58, 60, 61, 62 And 63 & Part of Lot 64

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, December 19, 2018, at 1:30 p.m.** there will be a public hearing before the Municipal Code Enforcement Board in the Council Chambers, 3rd floor, City Hall at 112 South Osceola Avenue, Clearwater, Florida, concerning violation of Section **3-1502.I & 3-1805.Q.2** of the Clearwater City Code. (See attached Affidavit(s) of Violation).

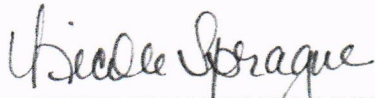
You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent 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: MARY G REALTY INC
MAILING ADDRESS: 1803 WOOD TRAIL ST
TARPON SPRINGS, FL 34689-7549

CITY CASE#: BIZ2018-00301

VIOLATION ADDRESS: 490 MANDALAY AVE
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 5/7/2018

LEGAL DESCRIPTION OF PROPERTY: CLEARWATER BEACH PARK LOTS 57,58,59,60,61,62 AND 63 & N 10.25FT OF LOT 64

PARCEL #: 08-29-15-16398-000-0570

DATE OF INSPECTION: 11/2/2018 1:18:00 PM

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

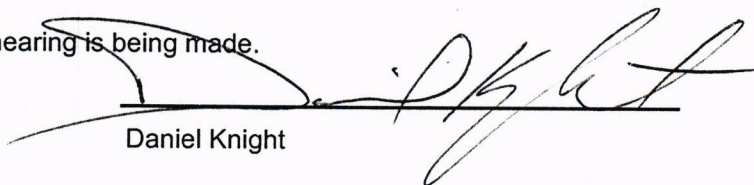
3-1502.I. - ****SIGN MAINTENANCE**** * All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling or fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired, painted or replaced.

3-1805.Q.2. **** MAINTENANCE OF SIGNS **** A sign shall be maintained in a state of good repair.

SPECIFICALLY,

All signs and sign structures shall be maintained in a good condition free of any damage, rust, discoloration, fading and/or peeling paint/elements. At the property "Treaky Tiki 3 LLC" has a damaged attached sign that once advertised "Pacific". Please note that it is the responsibility of the property owner to make sure that all current and future tenants are away of all City ordinances and that the property and tenants come into and remain in compliance. Compliance can be met by repairing the sign so that it is in a good condition free of any damage, rust, discoloration, fading and/or peeling paint/elements. To avoid fines starting at \$143.00 or having this case presented in front of the Municipal Code Enforcement Board please contact me or meet compliance by the compliance date. Please contact me with any questions. thank you.

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

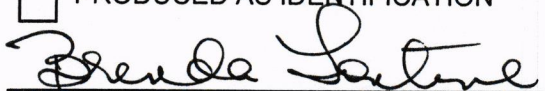

Daniel Knight

SWORN AND SUBSCRIBED before me on this 2nd day of November, by Daniel Knight.

STATE OF FLORIDA
COUNTY OF PINELLAS

PERSONALLY KNOWN TO ME

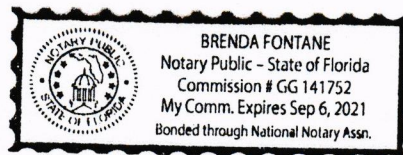
PRODUCED AS IDENTIFICATION



Type of Identification

(Notary Signature)

Name of Notary (typed, printed, stamped)



FILED THIS 8th DAY OF November, 2018

MCEB CASE NO. 177-18

Uinda 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

MARY G REALTY INC
1803 WOOD TRAIL ST
TARPON SPRINGS, FL 34689-7549

BIZ2018-00301

ADDRESS OR LOCATION OF VIOLATION: **490 MANDALAY AVE**

LEGAL DESCRIPTION: CLEARWATER BEACH PARK LOTS 57,58,59,60,61,62 AND 63 & N 10.25FT OF LOT 64

DATE OF INSPECTION: 5/4/2018

PARCEL: 08-29-15-16398-000-0570

Section of City Code Violated:

3-1502.I. - **SIGN MAINTENANCE** All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling or fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired, painted or replaced.

3-1805.Q.2. ** MAINTENANCE OF SIGNS ** A sign shall be maintained in a state of good repair.

Specifically: All signs and sign structures shall be maintained in a good condition free of any damage, rust, discoloration, fading and/or peeling paint/elements. At the property "Treaky Tiki 3 LLC" has a damaged attached sign that once advertised "Pacific". Please note that it is the responsibility of the property owner to make sure that all current and future tenants are away of all City ordinances and that the property and tenants come into and remain in compliance. Compliance can be met by repairing the sign so that it is in a good condition free of any damage, rust, discoloration, fading and/or peeling paint/elements. To avoid fines starting at \$143.00 or having this case presented in front of the Municipal Code Enforcement Board please contact me or meet compliance by the compliance date. Please contact me with any questions. thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 6/8/2018. 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: Daniel Knight
Inspector Phone: 727-562-4732

Date Printed: 5/7/2018

CC: 490 Mandalay Unit 10

NOV_PropOwn

2. Any portion of a lot not covered by a building or structure or otherwise devoted to parking, a service drive or a walkway shall be landscaped with grass or other appropriate ground cover and shall be maintained in a neat and orderly manner.
3. All landscape materials, including turf, shrubs, and trees, whether required or optional, shall be maintained in a healthy live condition so as to present a neat and attractive appearance and so as to discourage the accumulation of trash or debris and/or infestation by pests.
4. No yard, landscape area or growth of landscape material shall encroach upon the public right-of-way so as to hinder safe and convenient vehicular or pedestrian movement in the public right-of-way.
5. No yard shall be used for dumping or accumulation of any garbage, rubbish, dead animals, trash, waste vegetable or animal matter of any kind or construction debris.

I. *Signs.* All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling or fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired, painted or replaced.

J. *Vacant parcels.*

1. Vacant parcels of land shall be properly maintained consistent with section 3-1502 H and be free of weeds, litter, rubble or debris.
2. Erosion and sedimentation mitigation measures may be required if it is determined that runoff from a vacant parcel causes harm to adjacent property, city drainage systems or navigable waters which receive the runoff.
3. No temporary or permanent storage of materials or equipment shall be allowed on any vacant parcel except in compliance with the regulations for the use of

such property as set forth under Article 2 and Article 3 Division 9 of this Development Code.

K. *Public rights-of-way and sidewalks and parking surfaces.*

1. Public rights-of-way and sidewalks adjoining an improved parcel of land which, because of its location and character, is used as if it were appurtenant to or an extension of the parcel of land, shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep such rights-of-way and sidewalks clear of litter, trash, debris, equipment, weeds, trees, shrubs and other vegetation and refuse and provide a height clearance of at least eight feet from the sidewalk pavement measured vertically from the pavement surface, unless an exception has been granted by the urban forester for protected trees. All unpaved areas shall be landscaped with grass or other ground cover and such areas shall be regularly mowed or otherwise maintained in a neat and attractive condition.
2. No person shall erect, place or locate any structure, display materials, merchandise, or similar objects within the limits of any street right-of-way unless specifically permitted pursuant to the provisions of this Development Code.
3. No trash receptacles, newspaper racks or other dispensing machines shall be located in a public right-of-way unless specifically authorized by the city and other applicable agencies.
4. Parking lot and driveway surfaces shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep such surface free of pot holes, litter, trash, debris, equipment, weeds, dead vegetation and refuse and shall promptly repair cracked or heaved parking lot surfaces.

no case shall the cumulative area of all window signs on any façade exceed 50 square feet. No sign permit is required.

P. *Safety and Warning Signs.*

Safety or warning signs which do not exceed six (6) square feet of total sign face area per sign are allowed on any parcel. No sign permit is required.

Q. *Maintenance of Sign Location and Sign.*

1. Weeds and grass shall be kept cut in front of, behind, underneath, and from around the base of the sign for a minimum distance of ten (10) feet from the sign base, and there shall be no rubbish or debris within ten (10) feet of the sign base or underneath the sign.

2. A sign shall be maintained in a state of good repair.

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

City Case Number: BIZ2018-00301

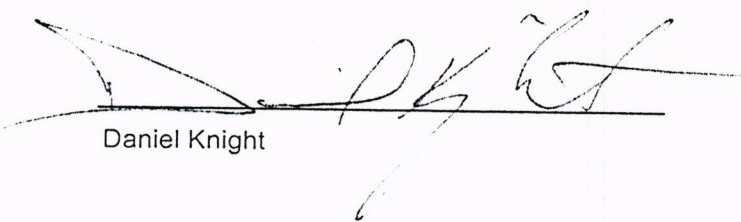
Site of Violation: 490 MANDALAY AVE

RECEIVED

JUL 20 2018

OFFICIAL RECORDS AND
LEGISLATIVE SRVCS DEPT.

1. Daniel Knight, 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 July, 2018, a copy of the attached Notice of Violation was posted at City Hall, 112 Osceola Ave., Clearwater, Florida and at 490 MANDALAY AVE, Clearwater, Florida.



Daniel Knight

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me on this 20th day of July, 2018, by Daniel Knight.

PERSONALLY KNOWN TO ME

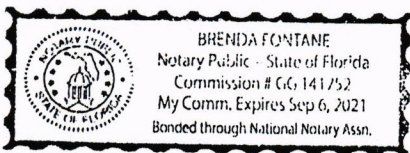
PRODUCED AS IDENTIFICATION

Brenda Fontane

Type of Identification

(Notary Signature)

Name of Notary (typed, printed, stamped)





CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
POST OFFICE BOX 1748, CLEARWATER, FLORIDA 33758-1748
MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
TELEPHONE (727) 562-4720 FAX (727) 562-4735

Notice of Violation

MARY G REALTY INC
1803 WOOD TRAIL ST
TARPON SPRINGS, FL 34689-7549

BIZ2018-00301

ADDRESS OR LOCATION OF VIOLATION: **490 MANDALAY AVE**

LEGAL DESCRIPTION: CLEARWATER BEACH PARK LOTS 57,58,59,60,61,62 AND
63 & N 10.25FT OF LOT 64

DATE OF INSPECTION: 7/17/2018

PARCEL: 08-29-15-16398-000-0570

Section of City Code Violated:

3-1502.I. - **SIGN MAINTENANCE** All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling or fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired, painted or replaced.

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THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 7/25/2018. 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: Daniel Knight
Inspector Phone: 727-562-4732

Date Printed: 7/20/2018

08-29-15-16398-000-0570

Compact Property Record Card

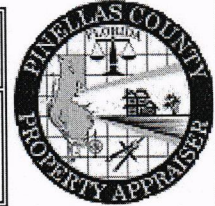
**Updated November
8, 2018**

[Tax Estimator](#)

[Email](#) [Print](#) [Radius Search](#)

[FEMA/WLM](#)

<u>Ownership/Mailing Address Change</u> <u>Mailing Address</u>	<u>Site Address</u>
MARY G REALTY INC 1803 WOOD TRAIL ST TARPON SPRINGS FL 34689-7549	490 MANDALAY AVE CLEARWATER



Property Use: 1121 (Strip Store - (2 or more stores - some may include an office, convenience store, bar and/or restaura)

Total Heated SF: 6,958 Total Gross SF: 8,072

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

CLEARWATER BEACH PARK LOTS 57,58,59,60,61,62 AND 63 & N 10.25FT OF LOT 64

File for Homestead Exemption			2019 Parcel Use	
Exemption	2018	2019		
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)	Plat Book/Page
05668/0223	Sales Query	121030260022	A	10/42

2018 Interim Value Information

Year	<u>Just/Market Value</u>	<u>Assessed Value / Non-HX Cap</u>	<u>County Taxable Value</u>	<u>School Taxable Value</u>	<u>Municipal Taxable Value</u>
2018	\$2,010,000	\$1,657,700	\$1,657,700	\$2,010,000	\$1,657,700

[\[click here to hide\]](#) Value History as Certified (yellow indicates correction on file)

Year	<u>Homestead Exemption</u>	<u>Just/Market Value</u>	<u>Assessed Value</u>	<u>County Taxable Value</u>	<u>School Taxable Value</u>	<u>Municipal Taxable Value</u>
2017	No	\$1,735,000	\$1,507,000	\$1,507,000	\$1,735,000	\$1,507,000
2016	No	\$1,370,000	\$1,370,000	\$1,370,000	\$1,370,000	\$1,370,000
2015	No	\$1,300,000	\$1,300,000	\$1,300,000	\$1,300,000	\$1,300,000