

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA**

Certified Mail sent:
02/01/2019

Owner: **DICKS, LINDA E TRUST**
2120 DREW ST
CLEARWATER, FL 33765-3214

Violation Address: **1878 DREW ST**
Parcel # 12-29-15-59886-001-0030

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, Meeting Room A/B, in the Main Library at 100 North Osceola Avenue, Clearwater, Florida, concerning violation of Section 305.3.1 & 3-1502 & 3-1503.B.2. of the Clearwater City Code, Standard Housing Code, or Florida Building Code, or National Electric 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, or give an order for the City of Clearwater to rectify the violation by any reasonable means necessary.

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,
JASON CANTRELL

BUILDING CONSTRUCTION INSPECTOR

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

City Case Number: UNS2019-00007

NAME OF VIOLATOR: DICKS, LINDA E TRUST
MAILING ADDRESS: 2120 DREW ST
CLEARWATER, FL 33765-3214

VIOLATION ADDRESS: 1878 DREW ST

LEGAL DESCRIPTION OF PROPERTY: See "Exhibit "A", Pinellas County Property Records Printout, attached, for legal description

PARCEL #: 12-29-15-59886-001-0030

DATE OF INSPECTION: 1/31/2019 4:18:00 PM

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

305.3.1 Roofs shall be structurally sound and maintained in a safe manner and have no defects which might admit rain or cause dampness in the walls or interior portion of the building.

Roof trusses and decking are deteriorated over the pedestrian walkway and are creating a serious hazard.

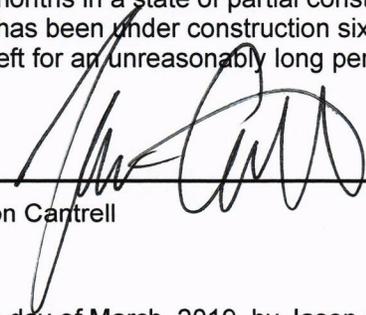
Section 3-1502. - Property maintenance requirements.

A. Minimum building and fire code requirements. All buildings shall be maintained in accordance with the Standard Building Code, the Fire Protection Code, and the Minimum Standard Housing Code as provided in Chapters 47 and 49 of the City's Code.

3-1503. - Nuisances.

B. The existence of any of the following specific conditions or conduct is hereby declared to constitute a public nuisance:

2. Buildings which are abandoned, boarded up for a period of six months, partially destroyed for any period of time, or left for a period of three months in a state of partial construction, provided that any unfinished building or structure which has been under construction six months or more shall be deemed and presumed to have been left for an unreasonably long period of time in the sense of this subsection.



Jason Cantrell

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me on this 12th day of March, 2019, by Jason Cantrell.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION



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) 562-4567

DICKS, LINDA E TRUST
2120 DREW ST
CLEARWATER, FL 33765-3214

January 31, 2019

NOTICE OF UNSAFE BUILDING

Case #: UNS2019-00007

CERTIFIED MAIL #: 70181830000113629844

LOCATION: 1878 DREW ST

PARCEL NO: 12-29-15-59886-001-0030

LEGAL: NEW MARYMONT BLK A, LOTS 2, 3 & 4

Dear Owners:

You are hereby notified that in accordance with the City of Clearwater Ordinances the above described property is declared unsafe and is creating a nuisance, and is therefore, subject to abatement, repair or demolition. Reference Section 47.161, of the Clearwater Community Development Code and the Standard Unsafe Building Abatement Code as adopted by the City of Clearwater, Florida.

It is in a deteriorated condition that creates a serious hazard to the health, safety and welfare of the public. Items that must be corrected include, but are not limited to, what is shown on the enclosed inspection report. All items on the attached report must be corrected.

You are hereby ordered to repair or demolish this structure within the limits of all building and zoning regulations. Should you elect to repair this structure, you are required to submit drawings showing how this is to be accomplished, secure all necessary permits, and commence work no later than seven (7) calendar days from receipt of this notice. Work is to be continued to completion within twenty (20) calendar days following issuance of the permit.

Work will be considered complete only upon the issuance of a certificate of completion (CoC). The city will give the utility companies (electric, water, gas, etc.) authorization to turn on utilities when all construction work has been completed to meet Code requirements. Use of this structure before issuance of CoC is a violation of law. Electrical power needed to make repairs at this site will require a temporary power pole and the associated permits and inspections.

The repairs must upgrade the structure to all the latest provisions of the current Standard Housing, Building, Plumbing, and Mechanical Codes and the National Electric Codes. The work shall also include the structural repair of all mechanical, electrical, plumbing, building and fire code. All openings providing access to the interior of the building must be secured using approved materials and methods. Any exterior repairs necessary to remove hazards to persons outside the building(s) shall be performed to the satisfaction of the City as a prerequisite to an extension of a deadline.



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Repairs needed will be, but not limited to the following: Building, Plumbing, Electrical, and Mechanical. You are required to obtain a licensed Florida Engineer, and / or Contractor to determine all areas of the structure that do not meet current Codes. Submit to the City a report from your Construction Professional containing specifics as to how this structure will be brought to current Code Standards, if you choose to repair.

The building or structure may be secured to City of Clearwater specifications up for a maximum of twenty-seven (27) calendar days. During that time all necessary repairs, construction, alterations, removal or demolition shall be completed.

If the repairs, or demolition are not completed by the dates specified in this notice, by authority of Chapter 6 of the Standard Unsafe Building Code, 1985 edition, as adopted by Section 47.051(1)(e) of the City Code of Ordinances, the building will be ordered vacated and posted to prevent further occupancy until the work is completed, the City will take action to obtain compliance with this building.

All costs and expenses will be billed to you. Costs include anything incurred in bringing the property into compliance, including expenses and staff time. An unpaid bill may result in a lien for the amount of the billing. The lien will remain on your property until the bill is paid or the lien satisfied.

This violation cited above must be corrected by securing all necessary permits, and commencing work no later than seven (7) calendar days from receipt of this notice. Work is to be continued to completion within twenty (20) calendar days following issuance of the permit. Failure to correct the above listed violation by the date indicated, or recurrence of the violation after correction, will result in a legal action before the municipal code enforcement board of the city of clearwater or before the Pinellas county court. Such action may result in a fine or other civil remedy. The alleged violator may be liable for the reasonable costs of the investigation, prosecution and the administrative hearing, and any other reasonable costs the city incurs in correcting the violation, should this person be found guilty of the violation.

Sincerely,

Jason Gantrell
Building Inspector



CITY OF CLEARWATER

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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
TELEPHONE (727) 562-4567

UNSAFE STRUCTURE REPORT

Inspector: Jason Cantrell

Date Inspected: January 31, 2019

Case #: UNS2019-00007

Property Address: 1878 DREW ST
CLEARWATER, FL 33765

Parcel No: 12-29-15-59886-001-0030

Legal Description: NEW MARYMONT BLK A, LOTS 2, 3 & 4

Owner Name: DICKS, LINDA E TRUST

Mailing Address: 2120 DREW ST
CLEARWATER, FL 33765-3214

REPORT

The items listed below were easily visible and noted on an inspection of this structure. They are items that are at least part of the reason this structure has been declared UNSAFE. Caution - Do not use this report as a work write-up. It will be necessary for you to have an architect, engineer, and or contractor thoroughly inspect the entire structure. This inspection should compare all current Florida Codes with your structure and determine any and all code deficiencies. This structure must be remodeled/repaired to meet all current codes. Your design professional will be able to determine what needs to be done to make the structure meet current codes.

TO OCCUPY THE STRUCTURE OR TO HAVE UTILITIES TURNED ON, THE STRUCTURE MUST MEET THE CURRENT CODES.

305.3.1 Roofs

- 305.3.1 Roofs shall be structurally sound and maintained in a safe manner and have no defects which might admit rain or cause dampness in the walls or interior portion of the building.



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Exterior

- Roof trusses and decking are deteriorated over the pedestrian walkway and are creating a serious hazard.

Section 3-1502. - Property maintenance requirements.

A. Minimum building and fire code requirements. All buildings shall be maintained in accordance with the Standard Building Code, the Fire Protection Code, and the Minimum Standard Housing Code as provided in Chapters 47 and 49 of the City's Code.

3-1503. - Nuisances:

B. The existence of any of the following specific conditions or conduct is hereby declared to constitute a public nuisance:

2. Buildings which are abandoned, boarded up for a period of six months, partially destroyed for any period of time, or left for a period of three months in a state of partial construction, provided that any unfinished building or structure which has been under construction six months or more shall be deemed and presumed to have been left for an unreasonably long period of time in the sense of this subsection.



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TELEPHONE (727) 562-4567

It is the property owner's responsibility to have the structure thoroughly investigated for all code deficiencies and to have that work completed by a licensed contractor before utility turn on and occupancy. Submit report to inspector listed below.

Inspector's Signature: _____

Supervisor's Signature: _____

[Handwritten signatures over lines]

Property Address: 1878 DREW ST

Section 3-1502. - Property maintenance requirements.

- A. *Minimum building and fire code requirements.* All buildings shall be maintained in accordance with the Standard Building Code, the Fire Protection Code, and the Minimum Standard Housing Code as provided in Chapters 47 and 49 of the City's Code.
- B. *Exterior surfaces.* All building walls shall be maintained in a secure and attractive manner. All defective structural and decorative elements of any building wall shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of the building. All exterior surfaces shall be free of:
1. Mildew;
 2. Rust;
 3. Loose material, including peeling paint; and
 4. Patching, painting or resurfacing shall be accomplished to match the existing or adjacent surfaces as to materials, color, bond and joining.

All cornices, trim and window frames that are damaged, sagging or otherwise deteriorated shall be repaired or replaced to be made structurally sound. All exterior surfaces other than decay-resistant wood and other weather durable finishes, shall be protected from the elements by paint or other protective covering applied and maintained according to manufacturer's specifications and otherwise treated in a consistent manner.

- C. *Door and window openings.*
1. All windows and doors shall be secured in a tight fitting and weatherproof manner and have sashes of proper size and design.
 2. Sashes with rotten wood, broken joints or deteriorated mullions or muntins must be repaired or replaced.
 3. Windows shall be maintained in an unbroken, and clean state. No windows shall be permanently removed and enclosed, covered or boarded up unless treated as an integral part of the building façade using wall materials and window detailing comparable with any upper floors and the building façade in general. All damaged or broken windows shall be promptly restored, repaired or replaced. All awnings, screens or canopies facing or visible from

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.
5. All sidewalks located on private property shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep sidewalks clear of litter, trash, debris, equipment, weeds, dead vegetation and refuse. Sidewalks that are cracked, heaved or otherwise unsafe for pedestrians shall be promptly replaced.

- L. *Maintenance of seawalls.* All seawalls shall be maintained in structurally sound condition and shall comply with applicable building and coastal construction codes.

(Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 6928-02, §§ 71—75, 5-2-02; Ord. No. 7449-05, § 20, 12-15-05; Ord. No. 8211-10, § 11, 10-5-10; Ord. No. 8931-16, § 18, 9-1-16)

Section 3-1503. - Nuisances.

- A. No person owning, leasing, operating, occupying or having control of any premises within the city shall maintain, keep or permit any nuisance affecting the citizens of the city.

- B. The existence of any of the following specific conditions or conduct is hereby declared to constitute a public nuisance:
1. A condition or use that causes a substantial diminution of value of property in the vicinity of the condition or use.
 2. Buildings which are abandoned, boarded up for a period of six months, partially destroyed for any period of time, or left for a period of three months in a state of partial construction, provided that any unfinished building or structure which has been under construction six months or more shall be deemed and presumed to have been left for an unreasonably long period of time in the sense of this subsection.
 3. Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.
 4. Overt blocking of drainage pipes, ditches, channels, and streams, so as to cause flooding and adversely affect surrounding property.
 5. Accumulation and placement of nuisances.
 - a. Any accumulation of weeds, debris, trash, garden trash, junk, untended growth of vegetation, or undergrowth of dead or living vegetation or hazardous swimming pools, or hazardous trees upon any private property, or on any public property without authorization to the extent and manner that such property contains or is likely to contain rodents, reptiles or other vermin, or furnishes a breeding place for flies, mosquitoes, or wood-destroying insects, or otherwise threatens the public health, safety or welfare.
 - b. The placement of trash, debris or other items on public property without authorization.
 6. Except as provided in section 3-1506, the outdoor storage of all or part of any dismantled, partially dismantled, inoperative or discarded vehicle, recreational vehicle, machinery, appliance, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, bicycle, or scrap metal, on any public or private property, or of any abandoned vehicle, recreational vehicle, farm equipment, aircraft, boat, personal watercraft, trailer, truck, or motorcycle on any private property, within the city limits. This provision shall not apply to any vehicle, recreational

Exhibit A

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

12-29-15-59886-001-0030

Compact Property Record Card

[Tax Estimator](#)

**Updated March 8,
2019**

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

[FEMA/WLM](#)

Ownership/Mailing Address <u>Change</u> Mailing Address	Site Address (First Building)
DICKS, LINDA E TRUST DICKS, LINDA E TRE DEMENT, MARY ELIZABETH TRUST DICKS, LINDA E TRE C/O BRUCE STRUMPF, INC 2120 DREW ST CLEARWATER FL 33765-3214	1878 DREW ST CLEARWATER Jump to building: (1) 1878 DREW ST ▾



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

Total Heated SF: 13,038 Total Gross SF: 14,544

[click here to hide] **Legal Description**

NEW MARYMONT BLK A, LOTS 2, 3 & 4

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	<u>Sales Comparison</u>	<u>Census Tract</u>	Evacuation Zone (NOT the same as a FEMA Flood Zone)	Flood Zone (NOT the same as your evacuation zone)	Plat Book/Page
19231/2016 ■	Sales Query	121030266021	NON EVAC	Compare Preliminary to Current FEMA Maps	30/33

2018 Interim Value Information

Year



USPS
Permit No. G-10

9590 9402 4655 8323 9356 41

United States
Postal Service

PLANNING & DEVELOPMENT DEPT
CITY OF CLEARWATER

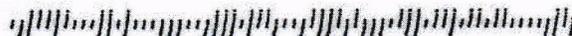
FEB 11 2019

RECEIVED

• Sender: Please print your name, address, and ZIP+4® in this box*

CITY OF CLEARWATER PLANNING & DEVELOPMENT
 100 S. MYRTLE AVENUE
 CLEARWATER, FL 33756
 ATTN: Jason Cantrell RE:

1878 DREW ST.



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:
DICKS, LINDA E TRUST
2120 DREW ST
CLEARWATER, FL 33765-3214



9590 9402 4655 8323 9356 41

2. Article Number (Transfer from service label)
7018 1830 0001 1362 9844

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Address

B. Received by (Printed Name) **LINDA E DICKS**

C. Date of Delivery

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

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery