

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 123-24**

Certified Mail
August 16, 2024

Owner: **Randall Scott Evans**
Michelle L Evans
1325 Kinsmere Dr.
Trinity, FL 34655-4523

Violation Address: **1701 N Ft. Harrison Ave., Clearwater**
09-29-15-05472-000-0030

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, September 25, 2024, 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, 4-1002, and 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.

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

City Case Number: BIZ2024-00468

NAME OF VIOLATOR: RANDALL SCOTT EVANS
MICHELLE L EVANS
MAILING ADDRESS: 1325 KINSMERE DR
TRINITY, FL 34655-4523

VIOLATION ADDRESS: 1701 N FT HARRISON AVE

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

PARCEL #: 09-29-15-05472-000-0030

DATE OF INSPECTION: 7/1/2024 3:44:00 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.

3-1804.J. - ****SIDEWALK SIGNS**** Sidewalk Signs, Except Permitted in Section 3-1807.B.4.

4-1002. - ****SIGNAGE WITHOUT PERMITS**** Signage has been located, placed, erected, constructed, altered or extended without a permit.

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.


Stefan Burghardt

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 9th day of August, 2024, by Stefan Burghardt.



PERSONALLY KNOWN TO ME



PRODUCED AS IDENTIFICATION



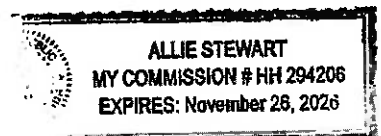
Type of Identification

(Notary Signature)



Name of Notary (typed, printed, stamped)

FILED THIS 9th DAY OF August, 2024



MCEB CASE NO.

123.24

Wade 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

RANDALL SCOTT EVANS
MICHELLE L EVANS
1325 KINSMERE DR
TRINITY, FL 34655-4523

BIZ2024-00468

ADDRESS OR LOCATION OF VIOLATION: 1701 N FT HARRISON AVE

LEGAL DESCRIPTION: BAY VIEW HEIGHTS 1ST ADD LOT 3

DATE OF INSPECTION: 7/1/2024

PARCEL: 09-29-15-05472-000-0030

Section of City Code Violated:

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

3-1804.J. - ****SIDEWALK SIGNS**** Sidewalk Signs, Except Permitted in Section 3-1807.B.4.

4-1002. - ****SIGNAGE WITHOUT PERMITS**** Signage has been located, placed, erected, constructed, altered or extended without a permit.

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.

Specifically: Temporary signage is allowed to be erected in a non-residential zoning district as long as all of the criteria and limitations can be abided by. Some examples of the temporary sign ordinances are, but are not limited to: No more than two temporary commercial signs which are no larger than 16 square feet in total sign face area can be erected at a parcel. At the property, ACE & JUNEBUG HOMESTYLE BBQ have erected more than the allowed two temporary commercial signs. One of them is attached to the building wall with hardware, two are free-standing, and another one is leaning against the food trailer. All of these exceed the allowed 16 sf in sign face area. Furthermore, the free-standing signs are located less than 5 ft from the property line. There is also a sidewalk sign (a-frame) without permit erected at the property. Please remove the all of the excessive and unpermitted signage by the compliance date, and refrain from erecting any signage at the property unless all of the criteria and limitations can be abided by. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 7/16/2024. 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.



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

A handwritten signature in black ink, appearing to read "Stefan Burghardt", is written over a horizontal line.

Stefan Burghardt

Code Inspector

727-444-8722

stefan.burghardt@myclearwater.com

Date Printed: 7/1/2024

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 3-1806.1b. CRITERIA AND LIMITATIONS FOR ALL OTHER
TEMPORARY SIGNS IN ALL ZONING DISTRICTS**

CRITERIA	Residential Zoning Districts	Non- Residential Zoning Districts
Maximum number of temporary signs per parcel ¹	8	4
Maximum sign size (area) for a temporary sign ²	4 sq. ft.	16 sq. ft.
Maximum sign height for a temporary freestanding sign ³	6 ft.	6 ft.
Maximum sign height for a temporary attached sign (inclusive of a window sign)	15 ft.	15 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from any property line ⁴	5 ft.	5 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from the edge of any paved street or road	5 ft.	5 ft.

- ⁶ There is no limit to the number of separate messages that may appear on the allowable surface(s) of any temporary sign. The maximum aggregate surface area allowed is subject to circumstances that may reduce the maximum aggregate surface area allowable on some parcels.

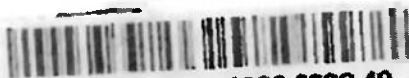
(Ord. No. 9029-17, § 2(Exh. A), 7-20-17; Ord. No. 9643-23, § 11, 4-4-23)

Editor's note—Ord. No. 9029-17, § 2(Exh. A), adopted July 20, 2017, repealed the former § 3-1806, and enacted a new § 3-1806 as set out herein. The former § 3-1806 pertained to general standards and derived from Ord. No. 8343-12, § 2(Exh. 1), adopted Aug. 16, 2012; Ord. No. 8402-13, § 1, adopted June 6, 2013.

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.

**RANDALL SCOTT EVANS
MICHELLE L EVANS
1325 KINSMERE DR
TRINITY, FL 34655-4523**



9590 9402 5667 9308 6036 49

2. Article Number (Transfer from service label)

7014 2970 0001 6189 8585

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Adult Signature ☐ Agent ☐ Addressee

B. Received by (Printed Name)

Evans

C. Date of Delivery

7/5/14

☐ Yes ☐ No



3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Registered Mail
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

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

Domestic Return Receipt

USPS TRACKING #



9590 9402 5667 9308 6036 49

**United States
Postal Service**

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

CITY OF CLEARWATER
CODE COMPLIANCE
POST OFFICE BOX 4748
CLEARWATER, FL 33758-4748

INITIALS: stb

**First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10**

07/05





Parcel Summary (as of 09-Aug-2024)

Parcel Map

Parcel Number

09-29-15-05472-000-0030

Owner Name

EVANS, RANDALL SCOTT

EVANS, MICHELLE L

Property Use

1120 Single Building Store

Site Address

1701 N FT HARRISON AVE

CLEARWATER, FL 33755

Mailing Address

1325 KINSMERE DR

TRINITY, FL 34655-4523

Legal Description

BAY VIEW HEIGHTS 1ST ADD LOT 3

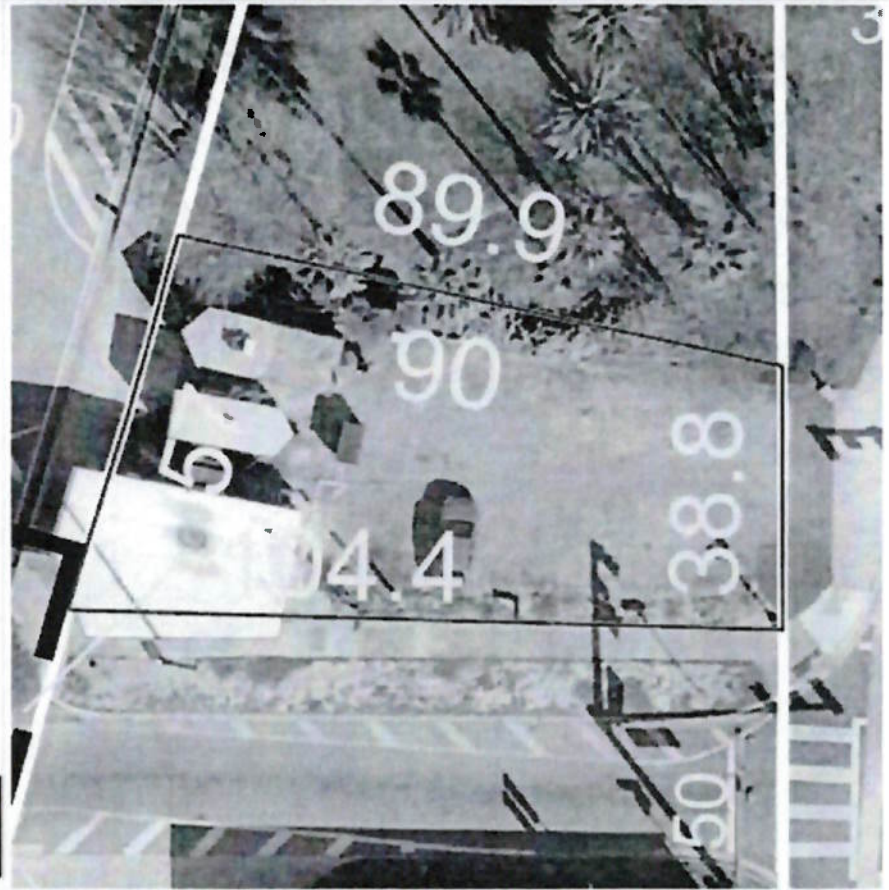
Current Tax District

CLEARWATER (CW)

Year Built

1958

Heated SF	Gross SF	Living Units	Buildings
431	672	0	1



Exemptions

Year	Homestead	Use %	Status	Property Exemptions & Classifications
2025	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).
2024	No	0%		
2023	No	0%		

Miscellaneous Parcel Info

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
20129/0814		<u>261.01</u>	<u>NON EVAC</u>	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	8/32

2024 Preliminary Values

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2024	\$85,000	\$76,230	\$76,230	\$85,000	\$76,230

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
2023	N	\$80,000	\$69,300	\$69,300	\$80,000	\$69,300
2022	N	\$63,000	\$63,000	\$63,000	\$63,000	\$63,000
2021	N	\$59,000	\$59,000	\$59,000	\$59,000	\$59,000
2020	N	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
2019	N	\$57,000	\$57,000	\$57,000	\$57,000	\$57,000