

**.NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 154-24**

**Certified Mail
September 13, 2024**

Owner: **1880 Drew Street LLC
434 Main St.
Dunedin, FL 34698-4964**

Violation Address: **1882 Drew St., Clearwater
12-29-15-59886-002-0010**

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, October 23, 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) **3-1502.I. and 3-1804.D.** 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: BIZ2024-00423

NAME OF VIOLATOR: 1880 DREW STREET LLC
MAILING ADDRESS: 434 MAIN ST
DUNEDIN, FL 34698-4964

VIOLATION ADDRESS: 1882 DREW ST

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

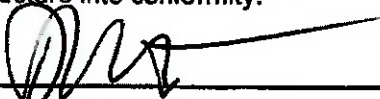
PARCEL #: 12-29-15-59886-002-0010

DATE OF INSPECTION: 6/10/2024 2:19:00 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.

3-1804.D. - ****DISCONTINUED SIGNS**** A discontinued sign and/or sign structure which is determined to be nonconforming with the provisions of this Division 18 shall not be required to be removed if it is brought into conformity with the provisions of this Division 18 within three (3) months after receipt of notification, or refusal to accept delivery of notification by certified mail that removal is required upon failure to bring the structure into conformity.


Stefan Burghardt

STATE OF FLORIDA
COUNTY OF PINELLAS

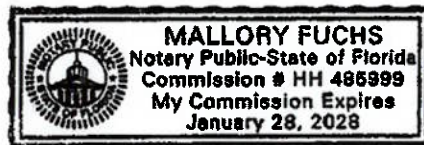
SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 6th day of September, 2024, by Stefan Burghardt.

- PERSONALLY KNOWN TO ME
- PRODUCED AS IDENTIFICATION

_____ Type of Identification

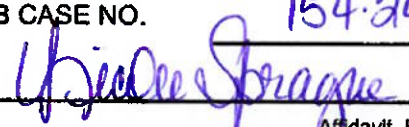

(Notary Signature)

Mallory Fuchs
Name of Notary (typed, printed, stamped)



FILED THIS 10 DAY OF September, 2024

MCEB CASE NO.

154.24




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

1880 DREW STREET LLC
434 MAIN ST
DUNEDIN, FL 34698-4964

BIZ2024-00423

ADDRESS OR LOCATION OF VIOLATION: 1882 DREW ST

LEGAL DESCRIPTION: NEW MARYMONT BLK B, LOT 1

DATE OF INSPECTION: 6/10/2024

PARCEL: 12-29-15-59886-002-0010

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.

3-1804.D. - ****DISCONTINUED SIGNS**** A discontinued sign and/or sign structure which is determined to be nonconforming with the provisions of this Division 18 shall not be required to be removed if it is brought into conformity with the provisions of this Division 18 within three (3) months after receipt of notification, or refusal to accept delivery of notification by certified mail that removal is required upon failure to bring the structure into conformity.

Specifically: All signs and signs structures erected within the City of Clearwater city limits shall be maintained in a good condition free of any damage, rust, discoloration, fading and/or peeling paint/elements. At the property there is a freestanding pole sign near Drew St that is in need of maintenance. The sign structure has peeling paint and rust. The face panels of the lower cabinet has faded advertisement for a defunct tattoo business "Drew St Tattoo and Piercings". Compliance can be met by repairing the sign and sign structure so that it is in a good condition free of any damage, rust, discoloration, fading and/or peeling paint/elements. The face panels should be turned inside out or be replaced with blank panels. Alternatively, they can be covered, e.g. with a neutral adhesive film. This violation had been already addressed in 2019, but not permanently fixed.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 8/9/2024. 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.

Stefan Burghardt Code Inspector
727-444-8722
stefan.burghardt@myclearwater.com

Date Printed: 6/11/2024

NOV_PropOwn

Section 3-1502. - Property maintenance requirements.

- A. *Minimum building and fire code requirements.* All buildings shall be maintained in accordance with the Florida Building Code, the Florida Fire Prevention Code, and the International Property Maintenance 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 the public right-of-way or any other parcel shall be maintained in a good and attractive condition and torn, loose and/or bleached awnings, screens or canopies shall be promptly replaced, repaired or removed.
4. Doors and windows not facing the public right-of-way and upper level window and door openings fronting a public right-of-way shall be similarly maintained and repaired as the doors and windows facing the public right-of-way, except that such doors and windows may

be enclosed or removed provided the sills, lintels and frames are removed and the opening properly closed to match and be compatible with the design, material and finish of the adjoining wall of which the opening is a part.

D. *Roofs.*

1. All roofs shall be maintained in a safe, secure and watertight condition.
2. Any new mechanical equipment, including replacement equipment placed on a roof, shall be so located as to be screened from view from the public right-of-way at street level from adjoining properties.
3. Roofs shall be maintained in a clean, mildew-free condition and kept free of trash, loose shingles and debris or any other element, including grass or weeds, which is not a permanent part of the building or a functional element of its mechanical or electrical system.
4. Tile roofs with peeling paint shall be repainted or have the paint removed.
5. Any false roof, mansard or similar roof element or other auxiliary structure on the roof shall be finished and maintained in a condition comparable to and compatible with the exterior side of the building wall to which the roof element abuts.

E. *Auxiliary and appurtenant structures.*

1. Chimneys and elevator shafts, and mechanical and electrical structures shall be maintained in a satisfactory state of repair and their exterior finish must be architecturally consistent with the exterior side of the building wall from which they can be seen.
2. Freestanding walls and fences shall be maintained in accordance with the provisions of section 3-808 of this development code.
3. Fountains and other amenities shall be maintained in good working order and all structural components shall be maintained in a satisfactory state of repair, free of chipping, pitting, cracking, discoloration, peeling or fading.

F. *Exterior storage and display/ nonresidential properties.*

1. All equipment, materials and merchandise shall be stored and located at all times within an enclosed structure and no exterior storage of merchandise for sale shall be permitted unless expressly authorized pursuant to the provisions of this Development Code.
2. Garbage and trash shall be deposited only in dumpsters or cans or other receptacles specifically manufactured and intended for such purpose, and secured at all times with a tight fitting cover or lid.

G. *Exterior storage and display for residential properties.*

1. As provided in Section 3-913 of this Development Code, outdoor storage is prohibited. For the purposes of this section, carports are subject to the outdoor storage provisions.
- 2.

Equipment, materials or furnishings not designed for use outdoors, such as automobile parts and tires, building materials, and interior furniture, may not be stored outdoors.

3. Construction materials, unless such materials are related to an active building permit related to the property on which the materials are located, shall not be stored outdoors on a residentially zoned property.
4. Bulk items intended for pick up by the city may not be placed at the curb more than 24 hours prior to the scheduled pick up.
5. Any motor vehicle that is lawfully parked and is covered in a manner to protect the motor vehicle shall allow at least the bottom six inches of each tire to be visible. The required license plate shall be clearly visible from the right-of-way or the license plate number shall be printed legibly on the cover with characters not less than two inches in height so that it is clearly visible from the right-of-way. Covers shall not be faded and shall be in good condition, without tears, rips or holes.

H. *Yards and landscape areas.*

1. All required landscaping materials shall be maintained in accordance with the provisions of Article 3, Division 12.
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.

Agency or other governmental agency for a public purpose involving public safety), unless otherwise expressly allowed by another provision within this Division 18.

- Q. Signs that obstruct, conceal, hide, or otherwise obscure from view any traffic control device sign or official traffic signal.
- R. Signs that present a potential traffic or pedestrian hazard, including signs which obstruct visibility.
- S. Signs attached to or placed on any tree or other vegetation.
- T. Signs carried, waved or otherwise displayed by persons either on public rights-of-way or in a manner visible from public rights-of-way. This provision is directed toward such displays intended to draw attention for a commercial purpose, and is not intended to limit the display of placards, banners, flags or other signage by persons participating in demonstrations, political rallies and similar events.
- U. Snipe signs.
- V. Three-dimensional objects that are used as signs.
- W. Vehicle signs, and portable trailer signs.
- X. Any permanent sign that is not specifically described or enumerated as permitted within the specific zoning district classifications in this Community Development Code.

(Ord. No. 8343-12, § 2(Exh. 1), 8-16-12; Ord. No. 9029-17, § 2(Exh. A), 7-20-17)

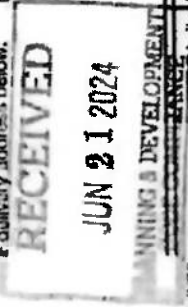
SENDER: COMPLETE THIS SECTION

1 Complete items 1, 2, and 3.
2 Print your name and address on the reverse so that we can return the card to you.
3 Attach this card to the back of the mailpiece, or on the front if space permits.

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Jennifer Lutz Addressee
 B. Received by (Printed Name) Date of Delivery
Jennifer Lutz

Address different from label? Yes No
If delivery address below:



1880 DREW STREET LLC
 434 MAIN ST
 DUNEDIN, FL 34698-4964



9590 9402 5667 9308 6029 25

Article Number (Transfer from service label)

7019 2970 0001 6140 9361

3. Service type
 Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery®
 Collect on Delivery Restricted Delivery
 Signature Confirmation™
 Signature Confirmation Restricted Delivery
 Return Receipt for Merchandise
 Return Receipt for Restricted Delivery

Form 3811, July 2015 PSN 7630-02-000-9053 3122024-00723 Domestic Return Receipt



Parcel Summary (as of 06-Sep-2024) **Parcel Map**

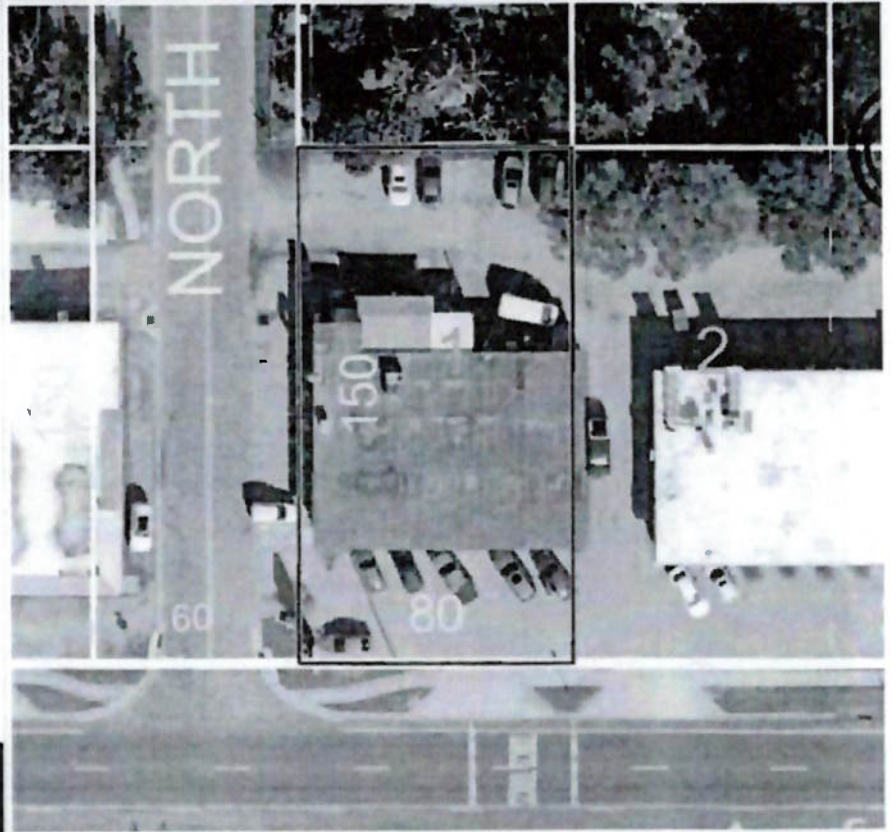
Parcel Number
12-29-15-59886-002-0010

Owner Name
 1880 DREW STREET LLC

Property Use
 1121 Strip Store - (2 or more stores)

Site Address
 1882 DREW ST
 CLEARWATER, FL 33765

Mailing Address
 434 MAIN ST
 DUNEDIN, FL 34698-4964



Legal Description
 NEW MARYMONT BLK B, LOT 1

Current Tax District
 CLEARWATER (CW)

Year Built
 1958

Heated SF	Gross SF	Living Units	Buildings
4,004	4,604	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
19808/1698		<u>266.02</u>	<u>NON EVAC</u>	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	30/33

2024 Preliminary Values

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2024	\$430,000	\$356,950	\$356,950	\$430,000	\$356,950

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	\$345,000	\$324,500	\$324,500	\$345,000	\$324,500
2022	N	\$295,000	\$295,000	\$295,000	\$295,000	\$295,000
2021	N	\$280,000	\$280,000	\$280,000	\$280,000	\$280,000
2020	N	\$288,000	\$288,000	\$288,000	\$288,000	\$288,000
2019	N	\$270,000	\$270,000	\$270,000	\$270,000	\$270,000