

**NOTICE OF HEARING  
MUNICIPAL CODE ENFORCEMENT BOARD  
CITY OF CLEARWATER, FLORIDA  
Case 39-19**

**Certified Mail**

**February 14, 2019**

Owner: **David A Wyers**  
**114 N Meteor Ave.**  
**Clearwater, FL 33765-3036**

Violation Address: **114 N Meteor Ave.**  
**Sky Crest Unit No. 6 Blk G, Lot 2**

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, Clearwater Main Library at 100 North Osceola Avenue, Clearwater, Florida, concerning violation of Section **3-808, 3-808.A.1, 3-808.A.5, & 3-808.A.6** 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

City Case Number: CDC2018-01736

NAME OF VIOLATOR: DAVID A WYERS  
MAILING ADDRESS: 114 N METEOR AVE  
CLEARWATER, FL 33765-3036

VIOLATION ADDRESS: 114 N METEOR AVE

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

PARCEL #: 13-29-15-82476-007-0020

DATE OF INSPECTION: 12/18/2018 8:54:00 AM

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

3-808 - \*\*FENCES AND WALLS\*\* All fences and walls shall be maintained in a structurally sound and aesthetically attractive manner.

3-808.A.1. - \*\*FENCE SHALL BE MAINTAINED IN VERTICAL POSITION\*\* A fence or wall shall be maintained in a vertical position and shall not be allowed to sag or lean at more than 10 degrees from vertical.

3-808.A.5. - \*\*FENCE FACE SHALL BE SECURELY FASTENED\*\* Each fence face shall be securely fastened to the support post and fence stringers.

3-808.A.6. - \*\*FENCES SHALL BE MAINTAINED FOR UNIFORM APPEARANCE\*\* All fence or wall surfaces shall be painted, stained, treated or otherwise maintained so as to present a uniform appearance.

*Sharon Hollifield*  
Sharon Hollifield

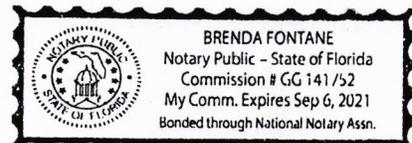
STATE OF FLORIDA  
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me on this 1st day of February, 2019, by Sharon Hollifield.

- PERSONALLY KNOWN TO ME
- PRODUCED AS IDENTIFICATION

\_\_\_\_\_  
Type of Identification

*Brenda Fontane*  
\_\_\_\_\_  
(Notary Signature)



\_\_\_\_\_  
Name of Notary (typed, printed, stamped)

FILED THIS 13<sup>th</sup> DAY OF February, 20 19

MCEB CASE NO. 39.19

*Wanda Sprague*

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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) 562-1720 FAX (727) 562-1735

## Notice of Violation

DAVID A WYERS  
114 N METEOR AVE  
CLEARWATER, FL 33765-3036

CDC2018-01736

ADDRESS OR LOCATION OF VIOLATION: **114 N METEOR AVE**

LEGAL DESCRIPTION: SKY CREST UNIT NO. 6 BLK G, LOT 2

DATE OF INSPECTION: 8/23/2018

PARCEL: 13-29-15-82476-007-0020

### Section of City Code Violated:

3-808 - **\*\*FENCES AND WALLS\*\*** All fences and walls shall be maintained in a structurally sound and aesthetically attractive manner.

3-808.A.1. - **\*\*FENCE SHALL BE MAINTAINED IN VERTICAL POSITION\*\*** A fence or wall shall be maintained in a vertical position and shall not be allowed to sag or lean at more than 10 degrees from vertical.

3-808.A.5. - **\*\*FENCE FACE SHALL BE SECURELY FASTENED\*\*** Each fence face shall be securely fastened to the support post and fence stringers.

3-808.A.6. - **\*\*FENCES SHALL BE MAINTAINED FOR UNIFORM APPEARANCE\*\*** All fence or wall surfaces shall be painted, stained, treated or otherwise maintained so as to present a uniform appearance.

Specifically: During a recent inspection of this property the following violation existed. There is a cement block fence/ wall that has collapsed on the south side of this property. This must be removed, replaced or repaired. All fences must be in an upright/ vertical position. Any removal, repairs and/ or replacement of the fence/ wall may require a permit. Please bring the property into compliance by the compliance date to avoid further action and/ or fines.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 9/30/2018. 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: Sharon Hollifield  
Inspector Phone: 727-562-4864

Date Printed: 8/30/2018

landscaping as may be necessary to maintain the utilities located in the easement.

(Ord. No. 6526-00, § 1, 6-15-00)

**Note**—See the editor's note at § 3-803.

**Section 3-807. Special regulations.**

A. *Fences for swimming pools.* A swimming pool may be enclosed with a four foot high fence or wall.

B. *Visibility triangle.* All fences and walls shall comply with the sight visibility triangle requirements in Article 3, Division 9.

C. *Subdivisions.*

1. Parcels of land within a subdivision which, in conjunction with the approval of the subdivision, were required to have a fence and/or wall shall not be permitted any additional or substitute fences or walls which otherwise contravene the general purpose and uniformity afforded by the approved plan.
2. A six-foot high wall or fence, excluding chainlink, may be installed around the perimeter of any residential subdivision, provided such a wall or fence does not conflict with Section 3-807.C.1., above, or 3-804.A.

D. *Construction sites.* Temporary fences around construction sites may be approved by the building official and such fences shall comply with any reasonable conditions, e.g., height, location, materials, as the building official may determine appropriate for a given property.

E. *Fences on publicly owned lands.* Deviations from these fence requirements may be permitted for fences associated with public projects pursuant to the Level 1 (flexible standard) approval process.

(Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 7631-06, § 21, 11-2-06; Ord. No. 8349-12, § 31, 9-6-12)

**Note**—See the editor's note at § 3-803.

**Section 3-808. Maintenance of fences and walls.**

A. All fences and walls constructed pursuant to this division shall be maintained in a structurally sound and aesthetically attractive manner. Specifically:

1. A fence or wall shall be maintained in a vertical position, and shall not be allowed to sag or lean at more than ten degrees from vertical, unless the fence or wall is specifically designed and permitted to be maintained at such an angle.
2. Rotten boards in a fence shall be replaced.
3. Each support post or footer shall be solidly attached to the ground.
4. Each fence stringer shall be securely fastened to the support posts and face of the fence.
5. Each fence shall be securely fastened to the support post and fence stringers.
6. All fence or wall surfaces shall be painted, stained, treated or otherwise maintained so as to present a uniform appearance; however, this section is not intended to prohibit the maintenance of fences in which a deteriorated section of the fence is replaced with new material which will take some time to "age" or "weather" to replicate the appearance of the original fence.

B. Fence boards may be replaced on any nonconforming fence provided the posts are not replaced.

(Ord. No. 6526-00, § 1, 6-15-00)

**DIVISION 9. GENERAL APPLICABILITY STANDARDS**

**Section 3-901. General/technical codes.**

The following technical standards and codes are hereby incorporated by reference as if fully set out herein, and shall be maintained and kept on file in the office of the city manager:

- A. Florida Department of Transportation's Standard Specifications and Roadway and Traffic Design Standards (latest edition).

Exhibit A

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

**13-29-15-82476-007-0020**

**Compact Property Record Card**

**Updated February 5, 2019**

Tax Estimator

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

FEMA/WLM

<b>Ownership/Mailing Address <u>Change</u></b> <b><u>Mailing Address</u></b>	<b>Site Address</b>
WYERS, DAVID A 114 N METEOR AVE CLEARWATER FL 33765-3036	114 N METEOR AVE CLEARWATER



Property Use: 0110 (Single Family Home)

Total Living: SF: 2,061  
Total Gross SF: 2,485

Total Living Units: 1

[click here to hide] **Legal Description**  
SKY CREST UNIT NO. 6 BLK G, LOT 2

<b>Tax Estimator</b> <b>File for Homestead Exemption</b>	<b>2019 Parcel Use</b>															
<table border="1"> <thead> <tr> <th>Exemption</th> <th>2019</th> <th>2020</th> </tr> </thead> <tbody> <tr> <td>Homestead:</td> <td>Yes</td> <td>Yes</td> </tr> <tr> <td>Government:</td> <td>No</td> <td>No</td> </tr> <tr> <td>Institutional:</td> <td>No</td> <td>No</td> </tr> <tr> <td>Historic:</td> <td>No</td> <td>No</td> </tr> </tbody> </table>	Exemption	2019	2020	Homestead:	Yes	Yes	Government:	No	No	Institutional:	No	No	Historic:	No	No	<p>*Assuming no ownership changes before Jan. 1</p> <p>Homestead Use Percentage: 100.00%</p> <p>Non-Homestead Use Percentage: 0.00%</p> <p>Classified Agricultural: No</p>
Exemption	2019	2020														
Homestead:	Yes	Yes														
Government:	No	No														
Institutional:	No	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>	<u>Evacuation Zone</u> (NOT the same as a FEMA Flood Zone)	<u>Flood Zone</u> (NOT the same as your evacuation zone)	<u>Plat Book/Page</u>
10930/1745	\$195,500 <u>Sales Query</u>	121030266022	NON EVAC	<u>Compare Preliminary to Current FEMA Maps</u>	28/51

**2018 Interim Value Information**

Year	<u>Just/Market Value</u>	<u>Assessed Value / SOH Cap</u>	<u>County Taxable Value</u>	<u>School Taxable Value</u>	<u>Municipal Taxable Value</u>
2018	\$162,163	\$103,954	\$53,954	\$78,954	\$53,954

PNU12018-01258 / 01173 CD0208-017310

**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:

David A. Wyers  
114 N Meteor Ave  
Clearwater, FL 33765-3036



9590 9402 2656 6336 6255 54

SH

2. Article Number (Transfer from service label)

7017 1450 0000 6479 6304

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

*[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

9/5/18

D. Is delivery address different from item 1? If YES, enter delivery address below:

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
- Insured Mail

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

Restricted Delivery