

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

**Certified Mail sent:
02/06/2019**

Owner: **JEFFREY BEAVERS
1268 ROGERS ST
CLEARWATER, FL 33756-5953**

Violation Address: **1270 ROGERS ST
Parcel # 15-29-15-38574-017-0210**

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 110 & 47.083(2) & 4-203.A.1. 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: SWO2018-12001

NAME OF VIOLATOR: JEFFREY BEAVERS
MAILING ADDRESS: 1268 ROGERS ST
CLEARWATER, FL 33756-5953

VIOLATION ADDRESS: 1270 ROGERS ST

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

PARCEL #: 15-29-15-38574-017-0210

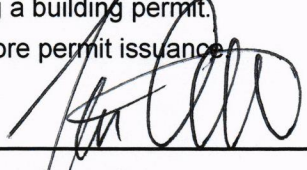
DATE OF INSPECTION: 3/11/2019 8:28:00 AM

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

110 PERMITS - Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change a residential building or structure or to cause any work to be done, shall first make application to the Building Official and obtain the required permit therefore. Ordinary minor repairs may be made with the approval of the Building Official without a permit, provided that such repairs shall not violate any of the provisions of this code.

4-203.A.1 - No person shall commence any construction, demolition, modification or renovation of a building or structure without first obtaining a building permit.

Article IV - 47.083(2) - Work commencing before permit issuance



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

Type of Identification

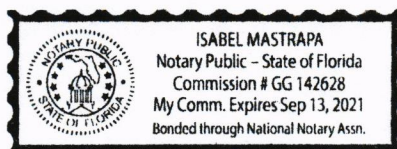


(Notary Signature)

Isabel Mastrapa

Name of Notary (typed, printed, stamped)

FILED THIS 12 DAY OF March, 20 19



MCEB CASE NO.

52.19

Uindie Sprague

Affidavit_Req4Hearing



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 FAX (727) 562-4576

NOTICE OF VIOLATION

SWO2018-12001

JEFFREY BEAVERS
1268 ROGERS ST
CLEARWATER, FL 33756-5953

ADDRESS OR LOCATION OF VIOLATION: **1270 ROGERS ST**

LEGAL DESCRIPTION: HIBISCUS GARDENS BLK Q, LOT 21 & S 28FT OF W 13FT OF LOT 22

DATE OF INSPECTION: 11/30/2018

PARCEL: 15-29-15-38574-017-0210

Section of City Code violated:


110 PERMITS - Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change a residential building or structure or to cause any work to be done, shall first make application to the Building Official and obtain the required permit therefore. Ordinary minor repairs may be made with the approval of the Building Official without a permit, provided that such repairs shall not violate any of the provisions of this code.

4-203.A.1 - No person shall commence any construction, demolition, modification or renovation of a building or structure without first obtaining a building permit.

Article IV - 47.083(2) - Work commencing before permit issuance.

Specifically, PHOTOVOLTAIC SYSTEM WAS INSTALLED PRIOR TO ISSUANCE OF A PERMIT.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 12/17/2018. 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 Signature

DATE MAILED: 12/3/2018

INSPECTOR: Jason Cantrell

INSPECTOR TELEPHONE: 727-562-4570

any kind which has enclosed walls for 50% of its perimeter. The term "building" shall be construed as if followed by the words "or part thereof". (For the purpose of this Code each portion of a building separated from other portion by a firewall shall be considered as a separate building.)

CELLAR – that portion of a building, the ceiling of which is entirely below grade or less than 4 ft 6 in (1372 mm) above grade.

DORMITORY – a space in a unit where group sleeping accommodations are provided with or without meals for persons not members of the same family group in one room, or in a series of closely associated rooms under joint occupancy and single management, as in college dormitories, fraternity houses, military barracks and ski lodges.

DWELLING – when used in this Code without other qualifications, means a building occupied exclusively for residential purposes by not more than two families.

DWELLING UNIT – a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

EXTERMINATION – the control and extermination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other recognized and legal pest elimination methods.

FAMILY – one or more persons living together, whether related by blood, marriage or adoption, and having common housekeeping facilities.

FLOOR AREA – the total area of habitable space in a building or structure.

GARBAGE – the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

108 VIOLATIONS AND PENALTIES

Any person, firm, corporation or agent, who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, demolish or move any structure, or has erected, constructed, altered, repaired, moved or demolished a building or structure in violation of this Code shall be prosecuted within the limits provided by state or local laws. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, or continued and upon conviction of any such violation such person shall be punished within the limits and as provided by state laws.

109 VALIDITY

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code.

110 PERMITS

Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change a residential building or structure or to cause any such work to be done, shall first make application to the Housing Official and obtain the required permit therefor. Ordinary minor

Sec. 47.083. - Fees.

- (1) *Prescribed.* The city will issue any permit(s) required by this Code, once all approvals are granted and all fees as required by Appendix A of this Code are paid. Any amendments to the permit will be released once they are approved and any additional fees due to such amendment as required by Appendix A are paid.
EXCEPTION: A temporary permit may be issued for projects which do not require plan review such as roof work, water heater, change-out and air conditioning replacement by facsimile. In that event, the applicant has ten calendar days from the date the temporary permit is issued to make the proper payments and receive the regular permit. If the permit is not paid for within ten days of issuance of the temporary permit, the applicant shall pay a triple or ten times fee as described in appendix A of this Code.
- (2) *Work commencing before permit issuance.* If any person commences any work on a building, structure, or electrical, plumbing, mechanical or gas system before obtaining the necessary permit, he shall be subject to a penalty as provided in appendix A to this Code.
- (3) *Accounting.* The building official shall keep a permanent and accurate accounting of all permit fees and other monies collected, and the names of all persons upon whose account the fees or monies were paid, along with the date and amount thereof.
- (4) *Schedule.* On all buildings, structures, and electrical, plumbing, mechanical and gas systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing application or issuing of permits, in accordance with the schedule in appendix A to this Code.
- (5) *Building permit valuations.* If, in the opinion of the building official, the valuation of building, alteration, structure, or electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Permit valuations shall include total cost, such as electrical, gas, mechanical, plumbing equipment and other systems, including materials and labor.

(Ord. No. 5767-95, § 1, 3-16-95; Ord. No. 6145-97, § 1, 6-19-97)

Note— Replaces Standard Code Section 104.7.

Section 4-203. - Building permit.

A. *Permit required.*

1. No person shall commence any construction, demolition, modification or renovation of a building or structure without first obtaining a building permit.
2. No seawall, bulkhead, groin, marine improvement, bridge or other similar marine structure shall be built within the city until the building official has issued a building permit for such work.
3. A building permit shall authorize only the use, arrangement and/or construction described in Level One and Two approvals and no other use, arrangement or construction.
4. Complete engineering and architectural plans for each component of a development project shall be required to be submitted prior to the issuance of a building permit. For any phased project, such plans shall be required for each phase of the development.

B. *Procedure:* All applications for building permits shall be submitted in a form required by this Development Code and the building official. Upon receipt of an application, including a declaration of unity of title, in accordance with Article 4 Division 16, the building official shall forward a copy to the community development coordinator in order to determine whether the application conforms to an approved Level One or Level Two approval. Upon receipt of the determination of the community development coordinator, the building official shall determine whether the application conforms to all applicable requirements contained in the building code. If the building official determines that the application does conform, the building permit shall be issued. If the building official determines that the application does not conform, he shall identify the application's deficiencies and deny the application.

C. *Appeal:* A denial of a building permit may be appealed in the manner provided in Article 4 Division 5.

(Ord. No. 6526-00, § 1, 6-15-00)

CITY OF CLEARWATER, FLORIDA

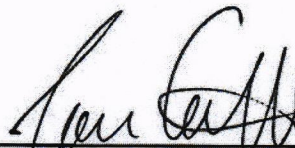
AFFIDAVIT OF POSTING

Case #: SWO2018-12001

I, Jason Cantrell being duly sworn, deposes and says:

1. That I am Code Inspector employed by the Planning and Development Department of the City of Clearwater.
2. That on the 6th day of February, 2019, I posted a copy of the attached Notice of Violation and/or Notice of Hearing on 1270 ROGERS ST at Clearwater City Hall and at 1270 ROGERS ST Clearwater, Florida.

Further Affiant sayeth naught.



Jason Cantrell

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me on this 6th day of February, 2019, by Jason Cantrell.

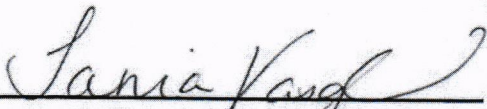


PERSONALLY KNOWN TO ME



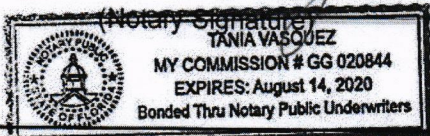
PRODUCED AS IDENTIFICATION

Type of Identification



(Notary Signature)

Notary Public,



Name of Notary (typed, printed, stamped)

8/14/2020

Commission Expiration Date

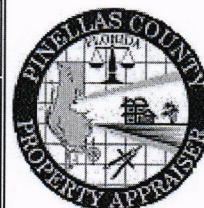
Exhibit A

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

15-29-15-38574-017-0210

Compact Property Record Card[Tax Estimator](#)**Updated March 8,
2019**[Email](#) [Print](#) [Radius Search](#)[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
BEAVERS, JEFFREY LEE, RUTH 1268 ROGERS ST CLEARWATER FL 33756-5953	1270 ROGERS ST CLEARWATER



Property Use: 1730 (General Office - Non-Professional One Story (advertising, travel & employment agencies, pest contro)

Total Heated SF: 1,744 Total Gross SF: 2,000

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

HIBISCUS GARDENS BLK Q, LOT 21 & S 28FT OF W 13FT OF LOT 22

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
19380/0036	Sales Query	121030264003	NON EVAC	Compare Preliminary to Current FEMA Maps	14/55

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	\$115,000	\$115,000	\$115,000	\$115,000	\$115,000

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