

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 85-24**

Certified Mail
June 14, 2024

Owner: **Sheila M Kilmartin**
1430 Wilson Rd.
Clearwater, FL 33755-2069

Violation Address: **1430 Wilson Rd.**
02-29-15-87732-000-0290

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, July 24, 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.G.1 and 3-1502.G.2** 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: CDC2024-00409

NAME OF VIOLATOR: SHEILA M KILMARTIN
MAILING ADDRESS: 1430 WILSON RD
CLEARWATER, FL 33755-2069

VIOLATION ADDRESS: 1430 WILSON RD

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

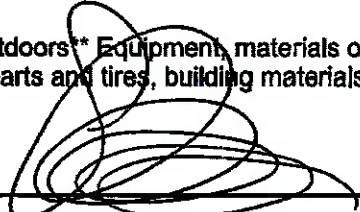
PARCEL #: 02-29-15-87732-000-0290

DATE OF INSPECTION: 5/16/2024 8:52:00 AM

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

3-1502.G.1. - ****EXTERIOR STORAGE**** 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.

3-1502.G.2. - ****Exterior Storage/Not For Use Outdoors**** 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.



Shelby Brown

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 20th day of May, 2024, by Shelby Brown.

- PERSONALLY KNOWN TO ME
- PRODUCED AS IDENTIFICATION

Allie Stewart

(Notary Signature)

Type of Identification



Allie Stewart

Name of Notary (typed, printed, stamped)

FILED THIS 20 DAY OF May, 20 24

MCEB CASE NO. 85-24

Chloe 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

Courtesy Notice

CDC2024-00409

SHEILA M KILMARTIN
1430 WILSON RD
CLEARWATER, FL 33755-2069

Re: 1430 WILSON RD

Dear Property Owner:

The City of Clearwater Planning and Development Department has done an inspection at the above address and has found the property is in violation of the following City Code:

3-1502.G.1. - ****EXTERIOR STORAGE**** 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.

3-1502.G.2. - ****Exterior Storage/Not For Use Outdoors**** 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.

✓ 3-1502.H.3. - ****LANDSCAPE MAINTENANCE**** 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.

✓ 3-1503.B.7. - ****LOT CLEARING VIOLATION**** Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than twelve (12") inches, or the accumulation of debris upon property within the City of Clearwater.

Specifically: During a recent inspection, the above listed condition(s) existed at this property, and must be addressed in accordance with property maintenance ordinances. Property needs a total clean-up; broken tree limb in yard, some overgrowth, and all kinds of equipment, materials, old tent structures, interior furnishings, discarded items, etc. all visible in front, side and rear of property. Please clear all of this from the exterior of the property, and maintain on a regular basis. Thank you!

No further action is required on your part if the violation is corrected by April 10, 2024.

Our goal is to achieve voluntary compliance through education, communication and cooperation. We would appreciate your assistance in achieving this goal. You can obtain a copy of our Citizens' Guide to Code Enforcement by visiting http://www.myclearwater.com/gov/depts/planning_dev/index.asp. If you have any questions concerning this matter, or if you need any additional information, please do not hesitate to contact me.

Inspector: Shelby Brown

Inspector Phone: 727-444-8721

Date Printed: 3/20/2024

✓ - Both corrected

CourtesyLtr2



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

COPY

Notice of Violation

SHEILA M KILMARTIN
1430 WILSON RD
CLEARWATER, FL 33755-2069

CDC2024-00409

ADDRESS OR LOCATION OF VIOLATION: 1430 WILSON RD

LEGAL DESCRIPTION: SUNSET HIGHLANDS UNIT 2 LOT 29

DATE OF INSPECTION: 4/23/2024

PARCEL: 02-29-15-87732-000-0290

Section of City Code Violated:

3-1502.G.1. - ****EXTERIOR STORAGE**** 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.

3-1502.G.2. - ****Exterior Storage/Not For Use Outdoors**** 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.

Specifically: ****2ND NOTICE**** During a recent inspection, the above listed condition(s) still existed at this property, and must be addressed in accordance with property maintenance ordinances. Property is blighted and needs a total clean-up; all kinds of equipment, materials, old tent structures, interior furnishings, discarded items, etc. all visible in front, side and rear of property. Please clear all of this from the exterior of the property, and maintain on a regular basis. Thank you -

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 5/15/2024. 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.

Shelby Brown Code Inspector
727-444-8721
shelby.brown@myclearwater.com

Date Printed: 4/24/2024

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.

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

RECEIVED

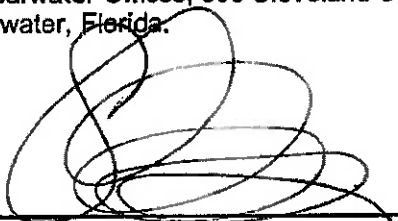
APR 26 2024

City Case Number: CDC2024-00409

Site of Violation: 1430 WILSON RD

CITY CLERK DEPARTMENT

1. Shelby Brown, being first duly sworn, deposes and says:
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 26th day of April, 2024, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 1430 WILSON RD, Clearwater, Florida.



 Shelby Brown Code Inspector
 727-444-8721
 shelby.brown@myclearwater.com

STATE OF FLORIDA
 COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of physical presence or _____ online notarization on this 26th day of April, 2024, by Shelby Brown.

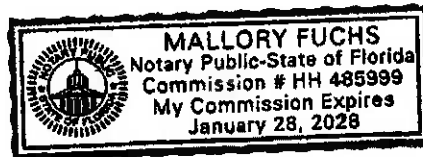
PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

 Type of Identification

(Notary Signature)

 Name of Notary (typed, printed, stamped)





Mike Twitty, MAI, CFA
Pinellas County Property Appraiser

Parcel Summary
(as of 20-May-2024)

Parcel Number

02-29-15-87732-000-0290

- Owner Name
KILMARTIN, SHEILA M
- Property Use
0110 Single Family Home
- Site Address
1430 WILSON RD
CLEARWATER, FL 33755
- Mailing Address
1430 WILSON RD
CLEARWATER, FL 33755-2069
- Legal Description
SUNSET HIGHLANDS UNIT 2 LOT 29
- Current Tax District
CLEARWATER (CW)
- Year Built
1959

| Living SF | Gross SF | Living Units | Buildings |
|--------------|--------------|--------------|-----------|
| 1,960 | 3,245 | 1 | 1 |