

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 56-24**

**Certified Mail
September 13, 2024**

Owner: **Clearwater Res Trust Ficken, James R Tre
1608 N Osceola Ave
Clearwater, FL 33755-2447**

Violation Address: **1608 N Osceola Ave
09-29-15-34686-000-0060**

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 your ongoing violation of Section(s) **3-1502.B., 3-1502.D.1., 3-1502.D.3., 3-1502.D.4., 3-1503.A., 3-1503.B.1., 3-1503.B.2., 3-1503.B.3., and 3-1503.B.9.** of the Clearwater City Code. You previously were found to have violated the Clearwater City Code and, to date, you have failed to correct the violation(s) within the time set for compliance by Order of the Municipal Code Enforcement Board. (See attached Affidavit of Non-Compliance)

You may 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.

The case shall be presented to the Board even if the violation(s) described in the Affidavit of Non-Compliance is/are corrected prior to the Board hearing.

If the Municipal Code Enforcement Board finds you did not correct the violation(s) by the date set for compliance in the Board's Order, the Board has the power by law to levy fines against you and your property for each day each violation continues beyond the compliance date and may do so at the hearing.

If you wish to have 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 violation or if the violation is corrected prior to the hearing, please contact the Inspector whose name appears on the Affidavit of Non-Compliance.

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 NON - COMPLIANCE

City of Clearwater, Florida

MCEB Case Number: 56-24

Petitioner

City Case Number: CDC2024-00211

vs.

FICKEN, JAMES R TRE
CLEARWATER RES TRUST
1608 N OSCEOLA AVE
CLEARWATER, FL 33755-2447

RECEIVED

SEP 10 2024

Respondent

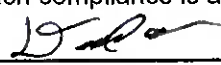
Re: 1608 N OSCEOLA AVE

CITY CLERK DEPARTMENT

I, Daniel Kasman, have personally examined the property described in the Municipal Code Enforcement Board Order dated May 22, 2024 in the above mentioned case, and find that as of September 9, 2024 said property is NOT in compliance with

3-1502.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. Exterior surfaces shall be free of mildew; rust; loose material including peeling paint; and patching, painting or resurfacing shall be accomplished to match the existing or adjacent surfaces as to material, color, bond and joining. 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 in accord with manufacturer's specifications and otherwise treated in a consistent manner.

This shall result in a fine to run daily until the violator notifies the Code Compliance Division. After notification from the violator, the inspector will complete an inspection to determine compliance and the fine shall cease upon the date of the inspection in which compliance is achieved.



Daniel Kasman

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of physical presence or online notarization on this 9th day of September, 2024, by Daniel Kasman.

- PERSONALLY KNOWN TO ME
- PRODUCED AS IDENTIFICATION

Type of Identification



(Notary Signature)

Melinda K. Adam

Name of Notary (typed, printed, stamped)



MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF NON - COMPLIANCE

City of Clearwater, Florida

MCEB Case Number: 56-24

Petitioner

City Case Number: CDC2024-00212

vs.

FICKEN, JAMES R TRE
CLEARWATER RES TRUST
1608 N OSCEOLA AVE
CLEARWATER, FL 33755-2447

Respondent

Re: 1608 N OSCEOLA AVE


I, Daniel Kasman, have personally examined the property described in the Municipal Code Enforcement Board Order dated May 22, 2024 in the above mentioned case, and find that as of September 9, 2024 said property is NOT in compliance with

3-1502.D.1. - ****ROOF MAINTENANCE**** All roofs shall be maintained in a safe, secure and watertight condition.

3-1502.D.3. - ****Clean Roof**** 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.

3-1502.D.4. - ****Painted Roof**** Tile roofs with peeling paint shall be repainted or have the paint removed.

This shall result in a fine to run daily until the violator notifies the Code Compliance Division. After notification from the violator, the inspector will complete an inspection to determine compliance and the fine shall cease upon the date of the inspection in which compliance is achieved.



Daniel Kasman

STATE OF FLORIDA
COUNTY OF PINELLAS

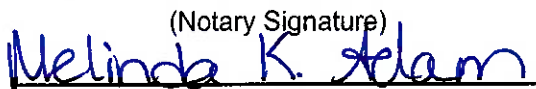
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MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF NON - COMPLIANCE

City of Clearwater, Florida

MCEB Case Number: 56-24

Petitioner

City Case Number: PNU2024-00154

vs.

FICKEN, JAMES R TRE
CLEARWATER RES TRUST
1608 N OSCEOLA AVE
CLEARWATER, FL 33755-2447

Respondent

Re: 1608 N OSCEOLA AVE

I, Daniel Kasman, have personally examined the property described in the Municipal Code Enforcement Board Order dated May 22, 2024 in the above mentioned case, and find that as of September 9, 2024 said property is NOT in compliance with

3-1503.A. - ****NUISANCE**** No person owning, leasing, operating, occupying or having control of any premises within the City shall maintain, keep or permit any nuisance (as defined in Section 8-102.) affecting the citizens of the City.


3-1503.B.1. - ****PUBLIC NUISANCE CONDITION**** A condition or use that exists on this property causes a substantial diminution of value of property in the vicinity of this condition or use and is considered a public nuisance.

3-1503.B.2. - ****ABANDONED BUILDINGS**** Buildings which are abandoned, boarded up, partially destroyed, or left for a period of six (6) months in a state of partial construction are declared to be a public nuisance.

3-1503.B.3. - ****ATTRACTIVE NUISANCE**** Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.

3-1503.B.9. - ****Other Nuisance Condition**** Any other condition or use that constitutes a nuisance to the public, generally, which is continually or repeatedly maintained, the abatement of which would be in the best interest of the health, safety and welfare of the citizens of the city.

This shall result in a fine to run daily until the violator notifies the Code Compliance Division. After notification from the violator, the inspector will complete an inspection to determine compliance and the fine shall cease upon the date of the inspection in which compliance is achieved.




Daniel Kasman

STATE OF FLORIDA
COUNTY OF PINELLAS

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MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF NON - COMPLIANCE

MCEB Case Number: 56-24

City Case Number: PNU2024-00154

Melinda K. Adam

(Notary Signature)

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