

**NOTICE OF HEARING  
MUNICIPAL CODE ENFORCEMENT BOARD  
CITY OF CLEARWATER, FLORIDA  
Case 10-25**

**Certified Mail**  
**February 14, 2025**

Owner: **FOG C P LLC**  
**8902 N Dale Mabry Hwy Ste 200**  
**Tampa, FL 33614-1596**

Violation Address: **1237 S Missouri Ave., Clearwater**  
**22-29-15-35532-000-0110**

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, March 26, 2025, 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) **3-1806.A** 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**

NAME OF VIOLATOR: FOG C P LLC  
MAILING ADDRESS: 8902 N DALE MABRY HWY STE 200  
TAMPA, FL 33614-1596  
CITY CASE#: BIZ2024-00637  
VIOLATION ADDRESS: 1237 S MISSOURI AVE  
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 9/13/2024

LEGAL DESCRIPTION OF PROPERTY: HANOUSEK'S SUB PT OF LOTS 11 & 12 DESC AS BEG AT THE SW COR OF LINCOLN AVE & JEFFORDS ST RUN S 674.19FT W 245.08FT N 80FT W 354.73FT N 595.7 FT E 598.63FT TO POB LESS THAT PART DESC AS FR  
PARCEL #: 22-29-15-35532-000-0110

DATE OF INSPECTION: 9/12/2024 3:35:00 PM

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

3-1806.A. - \*\*Temporary Sign Criteria & Limitations Table\*\* Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b.

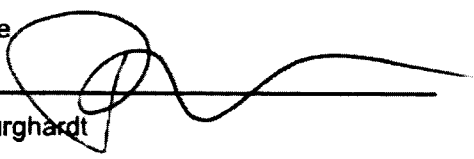
Permit information:

a. A permit shall be obtained on a yearly basis. Sidewalk sign permits expire on September 30th of each year and shall be renewed yearly to continue displaying a sidewalk sign.

SPECIFICALLY,

Temporary signage is allowed to be erected in a non-residential zoning district if all of the criteria and limitations can be abided by. Some examples of the temporary sign ordinances are, but are not limited to: No more than one temporary commercial banner style sign which is no larger than 16 square feet in total sign face area can be erected at a parcel for a time period no greater than 30 days per calendar year. At the property, TOTAL WIRELESS has erected a temporary commercial banner style sign to the building wall attached with hardware. Please remove the banner by the compliance date, and refrain from erecting any temporary signage at the property unless all of the criteria and limitations can be abided by. Thank you.

A violation exists and a request for hearing is being made.

  
Stefan Burghardt

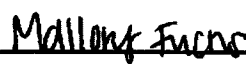
SWORN AND SUBSCRIBED before me by means of  physical presence or \_\_\_\_\_ online notarization on this 13th day of January, 2025, by Stefan Burghardt.

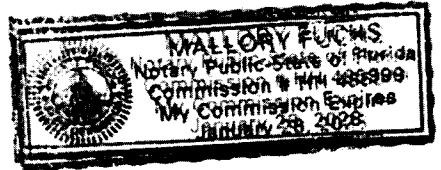
STATE OF FLORIDA  
COUNTY OF PINELLAS

PERSONALLY KNOWN TO ME  
 PRODUCED AS IDENTIFICATION

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

  
(Notary Signature)

  
Name of Notary (typed, printed, stamped)



FILED THIS 12<sup>th</sup> DAY OF February, 2025

MCEB CASE NO. 10-25

Wendee 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

## Notice of Violation

FOG C P LLC  
8902 N DALE MABRY HWY STE 200  
TAMPA, FL 33614-1596

**BIZ2024-00637**

ADDRESS OR LOCATION OF VIOLATION: **1237 S MISSOURI AVE**

LEGAL DESCRIPTION: HANOUSEK'S SUB PT OF LOTS 11 & 12 DESC AS BEG AT THE SW COR OF LINCOLN AVE & JEFFORDS ST RUN S 674.19FT W 245.08FT N 80FT W 354.73FT N 595.7 FT E 598.63FT TO POB LESS THAT PART DESC AS FR

DATE OF INSPECTION: 9/12/2024

PARCEL: 22-29-15-35532-000-0110

### Section of City Code Violated:

3-1806.A. - **\*\*Temporary Sign Criteria & Limitations Table\*\*** Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b.  
Permit information:

a. A permit shall be obtained on a yearly basis. Sidewalk sign permits expire on September 30th of each year and shall be renewed yearly to continue displaying a sidewalk sign.

Specifically: Temporary signage is allowed to be erected in a non-residential zoning district if all of the criteria and limitations can be abided by. Some examples of the temporary sign ordinances are, but are not limited to: No more than one temporary commercial banner style sign which is no larger than 16 square feet in total sign face area can be erected at a parcel for a time period no greater than 30 days per calendar year. At the property, TOTAL WIRELESS has erected a temporary commercial banner style sign to the building wall attached with hardware. Please remove the banner by the compliance date, and refrain from erecting any temporary signage at the property unless all of the criteria and limitations can be abided by. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 10/14/2024. 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: 9/13/2024

NOV\_PropOwn

Section 3-1806. - Temporary signs.

- A. Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b, shown below.
- B. A temporary sign displayed on a window surface must be displayed on the inside of the window surface, shall cover no more than 25 percent of the aggregate window surface area, and shall not be illuminated. This temporary sign allowance shall be reduced by any window surface area already covered by signage allowed in Section 3-1805.O.

**TABLE 3-1806.1a. CRITERIA AND LIMITATIONS FOR SIDEWALK SIGNS**

Location	In front of primary retail and restaurants within the linear footage of the storefront. Also in the immediate vicinity of parking garages/lots and valet stands. <sup>1</sup>
Maximum Number of Signs	1 per business
Maximum Width	2 feet
Maximum Height	3½ feet
Maximum Distance from Building Wall (as measured at the nearest point of sidewalk sign)	2 feet, except 5 feet in the Cleveland Street Café District in the Downtown zoning District and 2 feet from the entryway of a parking garage/lot and valet stands.
Maximum Width of Public Sidewalk that the Sign May Obstruct	4 foot clear path on the sidewalk shall be maintained
Duration Allowed	Only during hours while business or valet service is operating
Allowed on Public Property and Right-of-Way	Yes
Allowed in a Sight Visibility Triangle	No

Design Criteria	Restricted <sup>2</sup>
Permit Required	Yes <sup>3</sup>

- <sup>1</sup> Properties adjacent to a public construction project scheduled to last 180 days may also erect sidewalk signs in compliance with the following:
- a. No more than two sidewalk signs per parcels.
  - b. Parcels with multiple businesses shall coordinate copy on the signs.
  - c. Sign size is limited to 4 feet in height and 8 square feet in area.
  - d. Signs must be constructed in a professional and workmanlike manner from treated wood or other durable material. Sign copy shall not be spray painted onto the signs.
  - e. No sidewalk sign shall block any public right-of-way, shall maintain a 4 foot clear path and shall not be located within the visibility triangle of intersections or driveways.
  - f. Sidewalk signs shall be removed within 7 days after City's final acceptance of the improvements or completion of the public project.

- <sup>2</sup> Design criteria.
- a. All sidewalk sign frames shall:
    - i. Be made of durable wood, plastic, or metal only and shall present a finished appearance, and the color of such frames shall be limited to metallic silver/grey, black, white or stained wood.
    - ii. Support only black or green colored chalk boards, black, wet marker boards or professional design advertisement/posters made of durable material with clear, non-glare protective covering.
  - b. Sidewalk signs shall not be illuminated or incorporate fluorescent colors.
  - c. Sidewalk signs shall not be attached to any structure, pole, object, building, or other sign or contain moving parts or have balloons, streamers, pennants or similar adornment attached.
  - d. Only wind signs may be allowed to have wheels.
  - e. Flexibility with regard to sign style and size may be considered, provided the sign is designed as part of the architectural theme of the property and/or use using similar and coordinated design features, materials, and colors.

**3 Permit information.**

- a. A permit shall be obtained on a yearly basis.
- b. A sketch, photo or drawing of the proposed sidewalk sign, along with the required fee, shall be submitted and approved prior to the placement of the sidewalk sign.
- c. If proposed to be placed in a public right-of-way, evidence of general liability insurance in the amount of \$1,000,000.00 in a form acceptable to the city, with the city named as additional insured shall also be provided.

**TABLE 3-1806.1b. CRITERIA AND LIMITATIONS FOR ALL OTHER TEMPORARY SIGNS IN ALL ZONING DISTRICTS**

CRITERIA	Residential Zoning Districts	Non-Residential Zoning Districts
Maximum number of temporary signs per parcel <sup>1</sup>	8	4
Maximum sign size (area) for a temporary sign <sup>2</sup>	4 sq. ft.	16 sq. ft.
Maximum sign height for a temporary freestanding sign <sup>3</sup>	6 ft.	6 ft.
Maximum sign height for a temporary attached sign (inclusive of a window sign)	15 ft.	15 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from any property line <sup>4</sup>	5 ft.	5 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from the edge of any paved street or road	5 ft.	5 ft.
Minimum radial spacing that is required to be maintained by a temporary freestanding sign from any other temporary freestanding sign <sup>5</sup>	15 ft.	15 ft.

Maximum aggregate surface area allocated for all temporary signs on a parcel <sup>6</sup>	64 sq. ft.	128 sq. ft.
Whether temporary sign is allowed on public property or public right-of-way	No	No
Whether temporary sign is allowed within a sight visibility triangle	No	No
Whether direct illumination of surface of a temporary sign is allowed	No	No
Whether fluorescent color on a temporary sign is allowed	No	No
Duration allowed after event ends	3 calendar days	3 calendar days

**1 The number of temporary commercial signs per parcel shall be no more than two signs; however, no more than one temporary commercial sign per parcel may be a banner sign and a temporary commercial banner sign is limited to a maximum duration of display of no more than 30 days per calendar year per parcel.**

**2 The square footage limitation is per side for a back-to-back sign. For example, a four square foot limitation means that there is a limit of four square feet of surface area per side of a back-to-back sign, and an aggregate limit of eight square feet is allowed if the sign is a back-to-back temporary sign.**

**3 Not applicable to signs displayed on flagpoles.**

**4 Minimum sign setbacks do not apply to attached signs. Except as set forth in Section 3-1806 for sidewalk signs as allowed herein and for valet stands as allowed herein, all temporary signs are prohibited on public property and from public rights-of-way.**

**5 Not applicable to signs displayed on flagpoles.**

**6 There is no limit to the number of separate messages that may appear on the allowable surface(s) of any temporary sign. The maximum aggregate surface area allowed is subject to circumstances that may reduce the maximum aggregate surface area allowable on some parcels.**

(Ord. No. 9029-17, § 2(Exh. A), 7-20-17)



**Editor's note—** Ord. No. 9029-17, § 2(Exh. A), adopted July 20, 2017, repealed the former § 3-1806, and enacted a new § 3-1806 as set out herein. The former § 3-1806 pertained to general standards and derived from Ord. No. 8343-12, § 2(Exh. 1), adopted Aug. 16, 2012; Ord. No. 8402-13, § 1, adopted June 6, 2013.

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.

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent  
 *B. Barrett*  Address

B. Received by (Printed Name) *B. Barrett* C. Date of Delivery *9/25/15*

address different from item 1?  Yes  
 or delivery address below:  No

**FOG C P LLC**  
 8902 N DALE MABRY HWY STE 200  
 TAMPA, FL 33614-1596



9590 9402 5667 9308 6032 74

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

2. Article Number (transfer from service label)

7019 2970 0001 6084 3937

PS Form 3811, July 2015 PSN 7530-02-000-8053 *1122024-00637*

Domestic Return Rec



Parcel Summary (as of 13-Jan-2025)

Parcel Map

Parcel Number

**22-29-15-35532-000-0110**

Owner Name

FOG C P LLC

Property Use

1624 Neighborhood Shopping Center

Site Address

1257 S MISSOURI AVE  
CLEARWATER, FL 33756

Mailing Address

8902 N DALE MABRY HWY STE 200  
TAMPA, FL 33614-1596

Legal Description

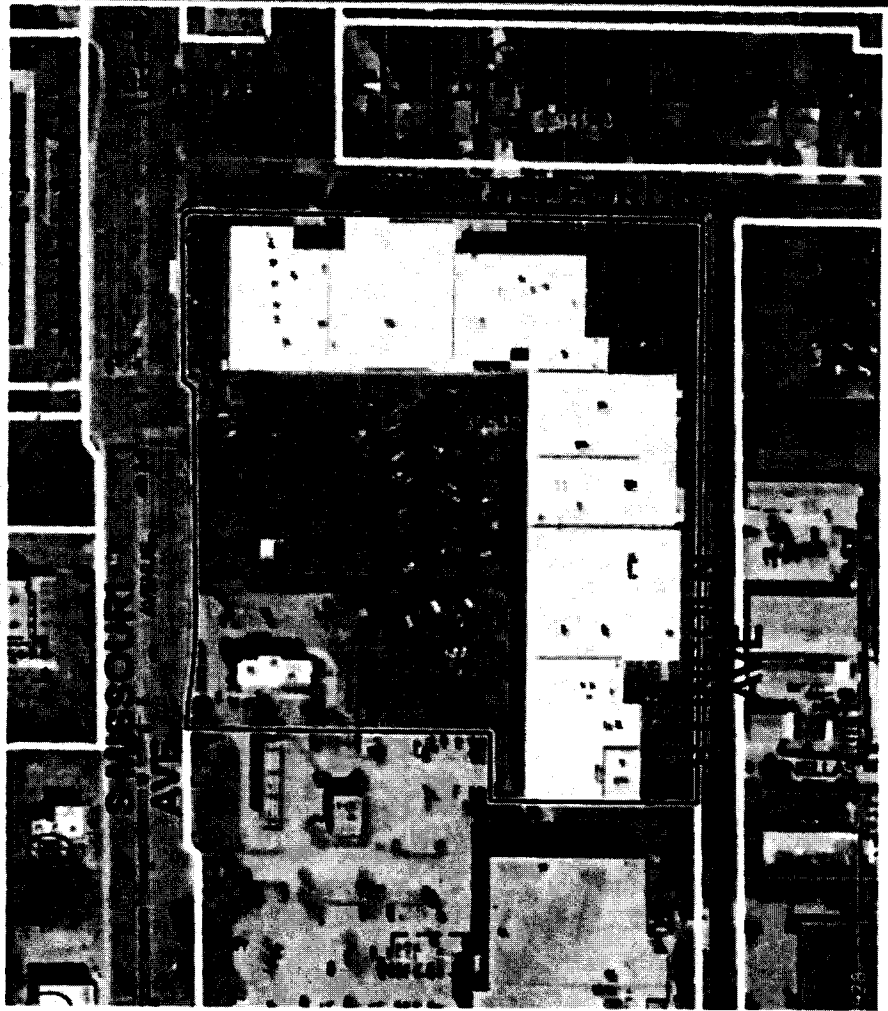
HANOUSEK'S SUB PART OF LOTS 11 & 12 DESC AS FROM NW COR OF NE 1/4 OF SEC 22-29-15 TH S00D 19'18"E 30.01FT TH S89D08' 38"E 56.01FT FOR POB TH S89D06'39

Current Tax District

CLEARWATER (CW)

Year Built

1963 | 1963 | 1963 | 1963 | 1963 | 1963 | 1963 | 1981 | 1963 | 2019



Heated SF	Gross SF	Living Units	Buildings
130,973	145,673	0	10

Exemptions

Year	Homestead	Use %	Status	Property Exemptions & Classifications
2026	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).
2025	No	0%		
2024	No	0%		

Miscellaneous Parcel Info

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
19949/2312	Find Comps	<u>264.01</u>	<u>NON EVAC</u>	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	1/41

2024 Final Values

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2024	\$9,090,000	\$9,090,000	\$9,090,000	\$9,090,000	\$9,090,000

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	\$8,790,000	\$8,790,000	\$8,790,000	\$8,790,000	\$8,790,000
2022	N	\$8,475,000	\$8,475,000	\$8,475,000	\$8,475,000	\$8,475,000
2021	N	\$7,810,000	\$7,810,000	\$7,810,000	\$7,810,000	\$7,810,000