

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 87-24**

Certified Mail
June 14, 2024

Owner: **TOWER4ONBAY LLC**
100 Turner St.
Clearwater, FL 33756-5211

Violation Address: **534 Bay Ave., Clearwater**
16-29-15-92628-011-0081

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.B** 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: TOWER4ONBAY LLC
MAILING ADDRESS: 100 TURNER ST
CLEARWATER, FL 33756-5211
CITY CASE#: CDC2024-00036

VIOLATION ADDRESS: 534 BAY AVE
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 1/25/2024

LEGAL DESCRIPTION OF PROPERTY: TURNER'S, A.C. NO. 3 BLK 11, N 54FT OF LOT 8

PARCEL #: 16-29-15-92628-011-0081

DATE OF INSPECTION: 1/8/2024 11:52:00 AM

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

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.

SPECIFICALLY,

Please repair all damage to the exterior of the property to come into compliance.

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



Daniel Kasman

SWORN AND SUBSCRIBED before me by means of physical presence or _____ online notarization on this 7th day of June, 2024, by Daniel Kasman.

STATE OF FLORIDA
COUNTY OF PINELLAS

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

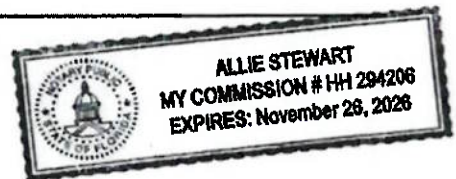


Type of Identification

(Notary Signature)

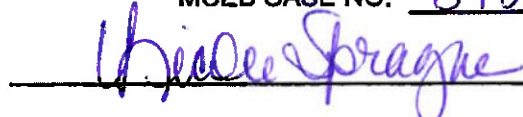


Name of Notary (typed, printed, stamped)



FILED THIS 7 DAY OF June, 2024

MCEB CASE NO. 87.24





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

TOWER4ONBAY LLC
100 TURNER ST
CLEARWATER, FL 33756-5211

CDC2024-00036

ADDRESS OR LOCATION OF VIOLATION: **534 BAY AVE**

LEGAL DESCRIPTION: TURNER'S, A.C. NO. 3 BLK 11, N 54FT OF LOT 8

DATE OF INSPECTION: 1/8/2024

PARCEL: 16-29-15-92628-011-0081

Section of City Code Violated:

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.

Specifically: Please repair all damage to the exterior of the property to come into compliance.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 2/25/2024. 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.

Daniel Kasman Code Inspector
727-444-8715
daniel.kasman@myclearwater.com

Date Printed: 1/25/2024

NOV_PropOwn



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

TOWER4ONBAY LLC
100 TURNER ST
CLEARWATER, FL 33756-5211

CDC2024-00036

ADDRESS OR LOCATION OF VIOLATION: **534 BAY AVE**

LEGAL DESCRIPTION: TURNER'S, A.C. NO. 3 BLK 11, N 54FT OF LOT 8

DATE OF INSPECTION: 1/8/2024

PARCEL: 16-29-15-92628-011-0081

Section of City Code Violated:

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.

Specifically: Please repair all damage to the exterior of the property to come into compliance.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 5/11/2024. 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.

Daniel Kasman Code Inspector
727-444-8715
daniel.kasman@myclearwater.com

Date Printed: 5/6/2024

NOV_PropOwn

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

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

City Case Number: CDC2024-00036

Site of Violation: 534 BAY AVE

1. Daniel Kasman, being first duly sworn, deposes and says:
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 6th day of May, 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 534 BAY AVE, Clearwater, Florida.

Daniel Kasman

Daniel Kasman Code Inspector
727-444-8715
daniel.kasman@myclearwater.com

RECEIVED

MAY 06 2024

CITY CLERK DEPARTMENT

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of physical presence or _____ online notarization on this 6th day of May, 2024, by Daniel Kasman.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

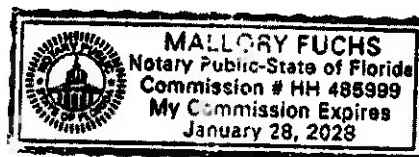
Mallory Fuchs

Type of Identification

(Notary Signature)

Mallory Fuchs

Name of Notary (typed, printed, stamped)





Parcel Summary (as of 07-Jun-2024)				Parcel Map
Parcel Number 16-29-15-92628-011-0081				
Owner Name TOWER4ONBAY LLC				
Property Use 0820 Duplex-Triplex-Fourplex				
Site Address 534 BAY AVE CLEARWATER, FL 33756				
Mailing Address 100 TURNER ST CLEARWATER, FL 33756-5211				
Legal Description TURNER'S, A.C. NO. 3 BLK 11, N 54FT OF LOT 8				
Current Tax District CLEARWATER (CW)				
Year Built 1920				
Heated SF	Gross SF	Living Units	Buildings	
1,847	2,051	4	1	

Exemptions				Property Exemptions & Classifications No Property Exemptions or Classifications found. Please note that Ownership Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc... will not display here).
Year	Homestead	Use %	Status	
2025	No	0%		
2024	No	0%		
2023	No	0%		

Miscellaneous Parcel Info							
Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
22639/0586		<u>259.02</u>	<u>NON EVAC</u>	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	H1/53

2023 Final Values					
Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	\$300,000	\$162,749	\$162,749	\$300,000	\$162,749

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
2022	N	\$240,000	\$147,954	\$147,954	\$240,000	\$147,954
2021	N	\$163,900	\$134,504	\$134,504	\$163,900	\$134,504
2020	N	\$122,276	\$122,276	\$122,276	\$122,276	\$122,276
2019	N	\$126,673	\$119,794	\$119,794	\$126,673	\$119,794
2018	N	\$108,904	\$108,904	\$108,904	\$108,904	\$108,904