

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 143-26**

Certified Mail
June 12, 2026

Owner: **CBW Management LLC**
400 Cleveland St.
New Port Richey, FL 34655

Violation Address: **415 Cleveland St., Clearwater**
16-29-15-20358-002-0040

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, July 22, 2026, 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) **3-909.C.6** of the Clearwater City Code. (See attached Affidavit(s) of Violation).

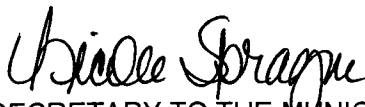
You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent 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: CDC2026-00186

NAME OF VIOLATOR: C B W MANAGEMENT LLC
MAILING ADDRESS: 400 CLEVELAND ST
NEW PORT RICHEY, FL, 34655

VIOLATION ADDRESS: 415 CLEVELAND ST

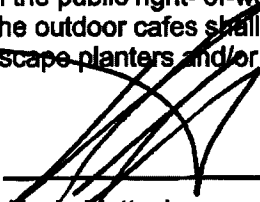
LEGAL DESCRIPTION OF PROPERTY: See "Exhibit "A", Pinellas County Property Records Printout, attached, for legal description

PARCEL #: 16-29-15-20358-002-0040

DATE OF INSPECTION: 6/4/2026 2:19:00 PM

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

3-909.C.6 - **Location and Design Requirements** Outdoor cafes pursuant to Section 3-909.A.1.d, are restricted to sidewalk frontage of the subject business applying for a permit and may extend no more than 25 feet from the façade of the subject business except the outdoor cafes within the Cleveland Street Café District (C.1). Under no circumstances may any portion of an outdoor café extend into or obstruct any portion of the main pedestrian thoroughfare. In addition, access to the outdoor cafes from the public right-of-way shall be limited to no more than one entranceway. The perimeter of the outdoor cafes shall be clearly delineated through the use of self-supporting fencing and/or landscape planters and/or other such devices and methods as presented to and approved by the city.


Kevin Mattocks

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of ☒ physical presence or _____ online notarization on this 4th day of June, 2026, by Kevin Mattocks.

- ☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION

Type of Identification



(Notary Signature)

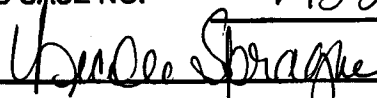


Name of Notary (typed, printed, stamped)

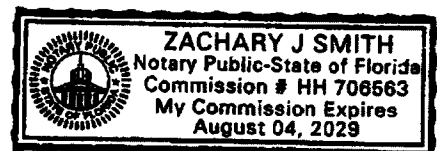
FILED THIS 4th DAY OF June, 2026

MCEB CASE NO.

143.26



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) 562-4720 FAX (727) 562-4735

Notice of Violation

C B W MANAGEMENT LLC
400 CLEVELAND ST
NEW PORT RICHEY, FL, 34655

CDC2026-00186

ADDRESS OR LOCATION OF VIOLATION: 415 CLEVELAND ST

LEGAL DESCRIPTION: DAVEY'S, JOHN R. RESUB BLK B, LOT 4 LESS W 2.8FT

DATE OF INSPECTION: 4/6/2026

PARCEL: 16-29-15-20358-002-0040

Section of City Code Violated:

3-909.C.6 - **Location and Design Requirements** Outdoor cafes pursuant to Section 3-909.A.1.d, are restricted to sidewalk frontage of the subject business applying for a permit and may extend no more than 25 feet from the façade of the subject business except the outdoor cafes within the Cleveland Street Café District (C.1). Under no circumstances may any portion of an outdoor café extend into or obstruct any portion of the main pedestrian thoroughfare. In addition, access to the outdoor cafes from the public right-of-way shall be limited to no more than one entranceway. The perimeter of the outdoor cafes shall be clearly delineated through the use of self-supporting fencing and/or landscape planters and/or other such devices and methods as presented to and approved by the city.

Specifically: Café Seating Permit Expired – Based on an inspection of public records, it has been determined that your Café Seating Permit is Expired which normally renews at the end of September each year. Please contact the City of Clearwater with your updated liability insurance and update this permit. Please provide me with a copy of your updated permit so this case can be closed by sending it to kevin.mattocks@myclearwater.com

If you have any questions please call me at Kevin Mattocks, 727-580-2511

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 5/6/2026. 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.

Kevin Mattocks

Code Inspector

727-444-7744

kevin.mattocks@myclearwater.com

Date Printed: 4/6/2026

Section 3-909. - Outdoor cafés located within public right(s)-of-way.

- A. *Applicability.*** A bar, brewpub, indoor recreation/entertainment facility, microbrewery, museum, nightclub, restaurant, take-out food establishment with no indoor seating, or other use which includes the sale and or consumption of food or drink as determined by the Community Development Coordinator, may establish an outdoor café. Outdoor cafés shall be exempt from parking requirements.
1. Outdoor cafés are allowed only in/on:
 - a. The Downtown District;
 - b. Those properties located in the Tourist District on Clearwater Beach; and
 - c. The east side of that area known as Beach Walk as existing on the east side of Gulfview Boulevard between the northerly terminus of Beachwalk south of the Gulfview/Coronado confluence and the southern terminus of Beach Walk approximately 330 feet south of Fifth Street and as located within the Beach Walk District as provided in Beach by Design and further located in the Open Space/Recreation [OS/R] District on Clearwater Beach provided the outdoor café is in conjunction with a permitted restaurant in the adjacent Tourist District.
 2. Special provisions of this section apply to outdoor cafés located within the Cleveland Street Café District.
- B. *Outdoor café permits.*** The community development coordinator shall review all outdoor cafés as an allowable encroachment into the public right(s)-of-way subject to compliance with the location, design and operational requirements below.
1. An outdoor café permit shall only be issued to a person who has paid the business tax for a business establishment and who wishes to provide tables and chairs on the right-of-way consistent with this section.
 2. Outdoor café permits expire on September 30th of each year and shall be renewed yearly to continue operation of the café.
- C. *Location and design requirements.***
1. Outdoor cafés are restricted to the sidewalk frontage of the subject business applying for a permit. In the Cleveland Street Café District such cafés may also extend the linear distance of any adjacent business frontage, in accordance with the provisions of Section 3-909.D.10. If authorized by the city, outdoor cafés may also extend into the adjacent Cleveland Street right-of-way provided the street is closed to vehicular traffic and all applicable ADA requirements are met.
 2. Outdoor cafés shall be located in a manner that promotes efficient and direct pedestrian movement:

- a. An unobstructed pedestrian path at least five feet wide shall be maintained at all times.
 - b. Within the Cleveland Street Café District the pedestrian path shall be maintained parallel to the abutting business.
 - c. An unobstructed passage shall be provided to building entrances which shall include at least two feet of clearance on each side of all entrances.
 - d. The community development coordinator may require a wider pedestrian path than established above, and/or that the pedestrian path is delineated by those means set forth in subsection 7, below.
 - e. Failure to comply with any of the above requirements may result in the revocation of the outdoor café permit pursuant to Section 3-909.E.4.
3. All furnishings shall be of good design and made of quality materials.
 4. No tables, chairs or any other furnishing or item shall be chained or attached to any building, sidewalk, tree, post, sign or other fixture.
 5. No furniture shall be permitted within the sight visibility triangle as required by the Community Development Code. Furniture shall not be placed within four feet of bus stops, telephone booths, fire hydrants, or counter service windows or within two feet of any entrances and/or exits.
 6. Outdoor cafés pursuant to Section 3-909.A.1.c, above, are restricted to sidewalk frontage of the subject business applying for a permit and may extend no more than 25 feet from the façade of the subject business. Under no circumstances may any portion of an outdoor café extend into or obstruct any portion of the main pedestrian thoroughfare (promenade) of Beach Walk.
 7. The perimeter of outdoor cafés may be defined through the use of self-supporting fencing, landscape planters, or other such devices and methods as presented to and approved by the City.
 8. Any area in which an outdoor café is permitted shall be clearly delineated on a drawing accurately depicting the area and specifically delineating where alcohol beverage sales are intended to occur. Such a drawing shall be submitted to and approved by the City as part of a Level One approval.
- D. Operational requirements.**
1. All furnishings shall be maintained by the outdoor café operator in a clean and attractive appearance and shall be in good repair at all times.
 2. No amplified music shall be allowed.
 3. No food storage or preparation shall be allowed within the right(s)-of-way.
 - 4.

The hours of operation of an outdoor café shall coincide with those of the associated business.

5. The outdoor café operator is responsible for repair of any damage to the right(s)-of-way caused by the restaurant or its patrons.
6. By use of any permit granted hereunder, the outdoor café operator agrees to indemnify, defend, save and hold harmless the city, its officers, agents and employees from any and all claims, liability, lawsuits, damages and causes of action which may arise out of the use of the public right(s)-of-way. The outdoor café operator shall enter into a written agreement with the city to evidence this indemnification. Such agreement must have the written approval of the city attorney prior to issuance of permit.
7. The outdoor café operator shall show evidence of:
 - a. Comprehensive general liability insurance on an "occurrence" basis in an amount not less than \$1,000,000 combined single limit bodily injury liability and property damage liability. The city is to be specifically included as an additional insured on the policy.
 - b. Workers' Compensation insurance applicable to its employees, if any, for statutory coverage limits in compliance with Florida laws, including employers' liability which meets all state and federal laws.
8. The outdoor café operator shall provide the city with the certificate(s) of insurance evidencing required coverages. Current certified copies of such required coverages shall be provided to the city when specifically requested in writing.
9. All policies of insurance must be endorsed to provide the city with 30 days notice of cancellation or restriction.
10. For outdoor cafés located within the Cleveland Street Café District that intend to use the public right(s)-of-way in front of an adjacent business, the applicant must submit a notarized statement from the adjacent property owner(s) indicating consent to use the right(s)-of-way in front of their business as an outdoor café.
11. As necessitated by right(s)-of-way repairs, the city may require the temporary removal of outdoor cafés and all related furnishings. The outdoor café operator shall be responsible for removing all furnishings at least 24 hours prior to the date identified in writing by the city. The city shall not be responsible for any costs associated with the removal or the return and installation of any such furnishings.
12. The city may cause the immediate removal or relocation of all or any part of the outdoor café in emergency situations. The city, its officers, agents and employees shall not be responsible for any damages or loss of furnishings used in association with an outdoor café relocated during emergency situations and shall not be responsible for any costs associated with the removal or the return and installation of any such furnishings.
- 13.

The city shall have the authority to secure or remove any furnishing(s) associated with the outdoor café if necessary in the interest of public safety.

14. Alcoholic beverages may be served in conjunction with any lawfully permitted outdoor café provided the business to which the outdoor café is accessory is in possession of all required licenses.
 15. The outdoor café operator is responsible for maintaining the outdoor café area and five feet beyond its perimeters in a neat and orderly appearance at all times and shall clear all debris on a periodic basis during the day and at the close of each business day. City-owned waste receptacles shall not be used for café food and waste disposal.
- E. *Revocation of permit.* Upon revocation of a permit, the community development coordinator shall give written notice of such action by certified mail, return receipt requested, to the permittee at the address listed on the application, stating the reason(s) for revocation. The revocation shall become effective 15 days following mailing of the notice if not appealed as provided in section 4-501A. The community development coordinator may revoke a permit for any outdoor café if it is found that:
1. Any necessary business or health permit has been suspended or revoked; or
 2. Changing conditions of pedestrian or vehicular traffic cause congestion necessitating the removal of the outdoor café. Such decision shall be based upon findings of the community development coordinator, after consulting with the city engineer, that the existing conditions represent a danger to the health, safety or general welfare of the public and cannot be resolved through modification to the outdoor café layout; or
 3. The outdoor café operator fails to comply with one or more requirements of the permit.
 4. The outdoor café is deemed to be a threat to public safety, in which case the permit may be revoked immediately without notice or compliance with the requirements described above.
 5. The outdoor café is deemed by the city to not be in the city's or the public's best interest, no longer meets the purpose and/or intent of the zoning district or any applicable overlay/special area plan and/or is simply no longer a desired use/activity.

(Ord. No. 8042-09, § 3, 6-4-09; Ord. No. 8331-12, § 1, 7-19-12; Ord. No. 8810-16, § 13, 1-21-16; Ord. No. 8931-16, § 14, 9-1-16; Ord. No. 9149-18, § 5, 8-2-18; Ord. No. 9487-21, §§ 1, 2, 10-7-21)



Parcel Summary (as of 04-Jun-2026)

Parcel Map

Parcel Number

16-29-15-20358-002-0040

Owner Name

C B W MANAGEMENT LLC

Property Use

2125 Restaurant, Cafeteria

Site Address

415 CLEVELAND ST
CLEARWATER, FL 33755

Mailing Address

400 CLEVELAND ST
NEW PORT RICHEY, FL 34655

Legal Description

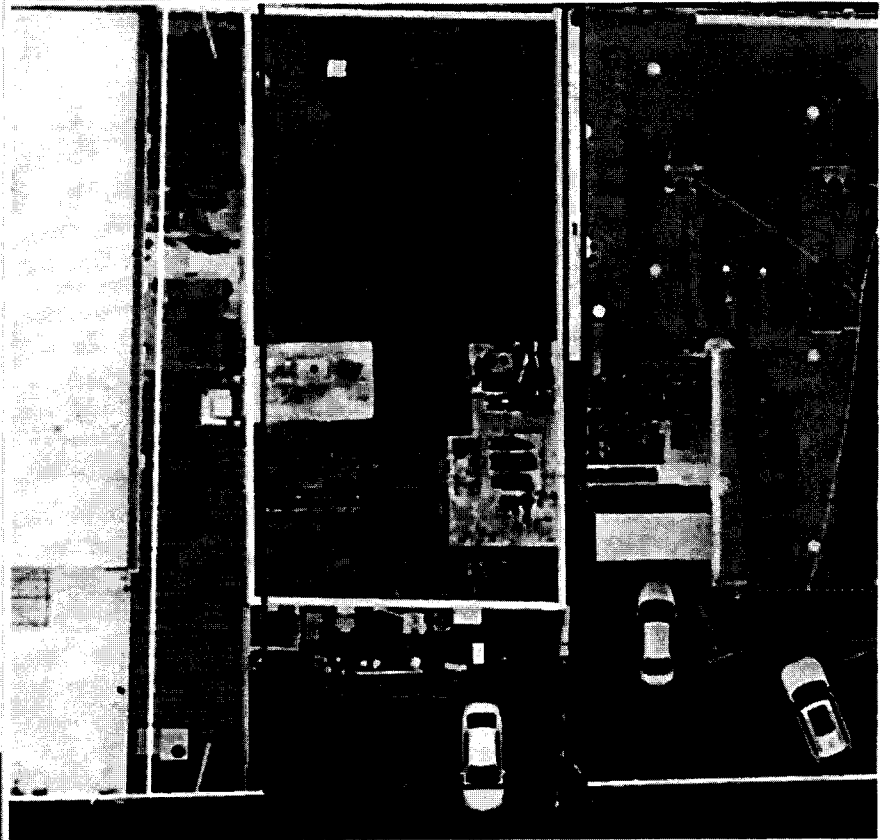
DAVEY'S, JOHN R. RESUB BLK B, LOT 4 LESS W 2.8FT

Current Tax District

CLEARWATER DOWNTOWN (CWD)

Year Built

1910



Heated SF	Gross SF	Living Units	Buildings
3,671	3,959	0	1

Exemptions

Year	Homestead	Use %	Status	Property Exemptions & Classifications
2027	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).
2026	No	0%		
2025	No	0%		

Miscellaneous Parcel Info

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
20369/2248	Find Comps	259.02	NON EVAC	Current FEMA Maps	Check for EC	Zoning Map	H1/87

2025 Final Values

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2025	\$675,000	\$675,000	\$675,000	\$675,000	\$675,000

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
2024	N	\$615,000	\$615,000	\$615,000	\$615,000	\$615,000
2023	N	\$595,000	\$595,000	\$595,000	\$595,000	\$595,000
2022	N	\$562,000	\$562,000	\$562,000	\$562,000	\$562,000
2021	N	\$535,000	\$535,000	\$535,000	\$535,000	\$535,000
2020	N	\$562,000	\$562,000	\$562,000	\$562,000	\$562,000