

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 92-18**

Certified Mail
May 30, 2018

**Owner: Barbara Hernandez-Vega
2434 Australia Way E Apt 32
Clearwater, FL 33763-3812**

**Violation Address: 1726 Kenneth Pl, Clearwater
Drew Manor Lot 15, E Side of Duplex**

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, June 27, 2018, at 1:30 p.m.** there will be a public hearing before the Municipal Code Enforcement Board in the Council Chambers, 3rd floor, City Hall at 112 South Osceola Avenue, Clearwater, Florida, concerning violation of Section **3-1502.B** of the Clearwater City Community Development Code. (See attached Affidavit of Violation).

You are hereby ordered to appear before the Municipal Code Enforcement Board on that 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. Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Board. If you are absent and represented at the hearing, that person must present to the Board your letter stating your approval of such representation. 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 this meeting 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 for compliance set 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 727-562-4097. 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 purpose of this quasi-judicial Board of seven citizens is to quickly and fairly render decisions and facilitate enforcement of certain codes 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 meeting if you require special accommodations at 727-562-4090. Assisted Listening Devices are available. Kindly refrain from electronic devices during the meeting.

FLORIDA STATUTE 286.0105 STATES THAT ANY PERSON APPEALING A DECISION OF THIS BOARD WILL NEED A RECORD OF THE PROCEEDINGS.

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

City Case Number: CDC2018-00303

NAME OF VIOLATOR: BARBARA HERNANDEZ-VEGA
MAILING ADDRESS: 2434 AUSTRALIA WAY E APT 32
CLEARWATER, FL 33763-3812

VIOLATION ADDRESS: 1726 KENNETH PL

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

PARCEL #: 11-29-15-22500-000-0151

DATE OF INSPECTION: 4/30/2018 4:14:00 PM

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.

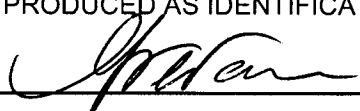


Shelby Brown

STATE OF FLORIDA
COUNTY OF PINELLAS

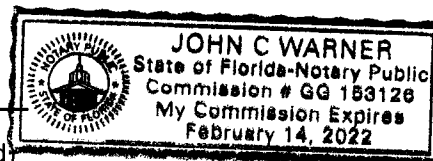
SWORN AND SUBSCRIBED before me on this 22th day of May, 2018, by Shelby Brown.

- ☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION



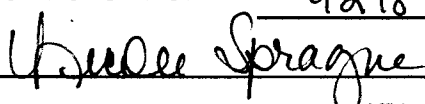
(Notary Signature)

Type of Identification



Name of Notary (typed, printed, stamped)
FILED THIS 30th DAY OF May, 20 18

MCEB CASE NO. 92-18



Affidavit_Req4Hearing

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

City Case Number: CDC2018-00304

NAME OF VIOLATOR: BARBARA HERNANDEZ-VEGA
MAILING ADDRESS: 2434 AUSTRALIA WAY E APT 32
CLEARWATER, FL 33763-3812

VIOLATION ADDRESS: 1726 KENNETH PL

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

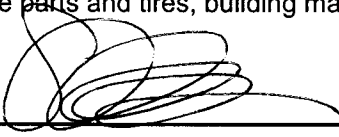
PARCEL #: 11-29-15-22500-000-0151

DATE OF INSPECTION: 5/22/2018 4:20:00 PM

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

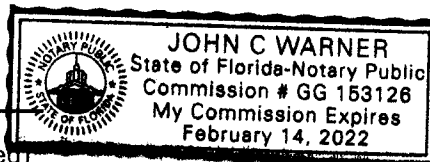
STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me on this 22th day of May, 2018, by Shelby Brown.

- ☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION

Type of Identification

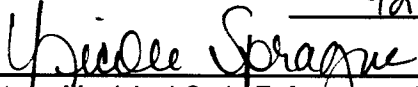

(Notary Signature)



Name of Notary (typed, printed, stamped)

FILED THIS 30th DAY OF May, 2018

MCEB CASE NO. 92-18


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

BARBARA HERNANDEZ-VEGA
2434 AUSTRALIA WAY E APT 32
CLEARWATER, FL 33763-3812

CDC2018-00303

ADDRESS OR LOCATION OF VIOLATION: **1726 KENNETH PL**

LEGAL DESCRIPTION: DREW MANOR LOT 15 E SIDE OF DUPLEX

DATE OF INSPECTION: 1/10/2018

PARCEL: 11-29-15-22500-000-0151

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: During a Neighborhood Sweep performed on 01/10/18, the above listed conditions existed at this property and must be addressed in accordance with property maintenance ordinances. Please address any visible mildew/peeling or failing paint/damaged exterior surfaces, and maintain the property on a regular basis. If there are circumstances that make compliance by the date requested below a challenge, please contact me directly at (727) 562-4725 as soon as possible. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 2/27/2018. 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.

Inspector: Shelby Brown
Inspector Phone: 562-4725

Date Printed: 1/25/2018

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

BARBARA HERNANDEZ-VEGA
2434 AUSTRALIA WAY E APT 32
CLEARWATER, FL 33763-3812

CDC2018-00304

ADDRESS OR LOCATION OF VIOLATION: **1726 KENNETH PL**

LEGAL DESCRIPTION: DREW MANOR LOT 15 E SIDE OF DUPLEX

DATE OF INSPECTION: 1/10/2018

PARCEL: 11-29-15-22500-000-0151

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: During a Neighborhood Sweep performed on 01/10/18, the above listed conditions existed at this property and must be addressed in accordance with property maintenance ordinances. Please clear any discarded or unused materials, interior furnishings, automobile supplies, equipment, debris, etc., from the exterior of the property, and maintain on a regular basis. If there are circumstances that make compliance by the date requested below a challenge, please contact me directly at (727) 562-4725 as soon as possible. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 2/27/2018. 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.

Inspector: Shelby Brown
Inspector Phone: 562-4725

Date Printed: 1/25/2018

NOV_PropOwn

Section 3-1502. - Property maintenance requirements.

- A. *Minimum building and fire code requirements.* All buildings shall be maintained in accordance with the Standard Building Code, the Fire Protection Code, and the Minimum Standard Housing Code as provided in Chapters 47 and 49 of the City's 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.*

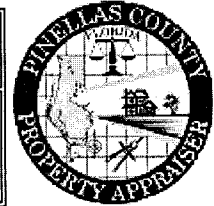
1. Chimneys and elevator shafts, and mechanical and electrical structures shall be maintained in a satisfactory state of repair and their exterior finish must be architecturally consistent with the exterior side of the building wall from which they can be seen.

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. Any motor vehicle that is lawfully parked and is covered in a manner to protect the motor vehicle shall allow at least the bottom six inches of each tire to be visible. The required license plate shall be clearly visible from the right-of-way or the license plate number shall be printed legibly on the cover with characters not less than two inches in height so that it is clearly visible from the right-of-way. Covers shall not be faded and shall be in good condition, without tears, rips or holes.
- H. *Yards and landscape areas.*
1. All required landscaping materials shall be maintained in accordance with the provisions of Article 3, Division 12.
 2. Any portion of a lot not covered by a building or structure or otherwise devoted to parking, a service drive or a walkway shall be landscaped with grass or other appropriate ground cover and shall be maintained in a neat and orderly manner.
 3. 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.
 4. No yard, landscape area or growth of landscape material shall encroach upon the public right-of-way so as to hinder safe and convenient vehicular or pedestrian movement in the public right-of-way.
 5. No yard shall be used for dumping or accumulation of any garbage, rubbish, dead animals, trash, waste vegetable or animal matter of any kind or construction debris.
- I. *Signs.* All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling or fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired, painted or replaced.
- J. *Vacant parcels.*
1. Vacant parcels of land shall be properly maintained consistent with section 3-1502 H and be free of weeds, litter, rubble or debris.
 2. Erosion and sedimentation mitigation measures may be required if it is determined that runoff from a vacant parcel causes harm to adjacent property, city drainage systems or navigable waters which receive the runoff.


Exhibit A

[Interactive Map of this parcel](#) [Sales Query](#) [Back to Query Results](#) [New Search](#) [Tax Collector Home Page](#) [Contact Us](#) WM
11-29-15-22500-000-0151**Compact Property Record Card**[Tax Estimator](#)**Updated May 22,
2018**
[Email](#) [Print](#) [Radius Search](#)
[FEMA/WLM](#)


Ownership/Mailing Address Change Mailing Address	Site Address
HERNANDEZ-VEGA, BARBARA 2434 AUSTRALIA WAY E APT 32 CLEARWATER FL 33763-3812	1726 KENNETH PL CLEARWATER

[Property Use](#): 0820 (Duplex-Triplex-Fourplex)Living Units:
1

[click here to hide] **Legal Description**
DREW MANOR LOT 15, E SIDE OF DUPLEX

<u>Mortgage Letter</u>  <u>File for Homestead Exemption</u>			2018 Parcel Use	
Exemption	2018	2019		
Homestead:	No	No	Homestead Use Percentage: 0.00%	
Government:	No	No	Non-Homestead Use Percentage: 100.00%	
Institutional:	No	No	Classified Agricultural: No	
Historic:	No	No		

Parcel Information Latest Notice of Proposed Property Taxes (TRIM Notice)

Most Recent Recording	<u>Sales Comparison</u>	<u>Census Tract</u>	Evacuation Zone (NOT the same as a FEMA Flood Zone)	Plat Book/Page
13683/1078 	\$46,400 Sales Query	121030265003	NON EVAC	49/3

2017 Final Value Information

Year	<u>Just/Market Value</u>	<u>Assessed Value/ SOH Cap</u>	<u>County Taxable Value</u>	<u>School Taxable Value</u>	<u>Municipal Taxable Value</u>
2017	\$37,879	\$37,879	\$37,879	\$37,879	\$37,879

[click here to hide] **Value History as Certified (yellow indicates correction on file)**

Year	<u>Homestead Exemption</u>	<u>Just/Market Value</u>	<u>Assessed Value/ SOH Cap</u>	<u>County Taxable Value</u>	<u>School Taxable Value</u>	<u>Municipal Taxable Value</u>
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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.

1. Article Addressed to:

BARBARA HERBANDEZ-VEGA
2434 AUSTRALIA WAY E APT 32
CLEARWATER, FL 33763

Re: 1726 Kenneth PLace



9590 9402 3066 7124 7801 27

2. Article Number (Transfer from service label)

7017 01450 0000 6479 3976

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Barbara Hernandez

☒ Agent

☐ Addressee

B. Received by (Printed Name)

Barbara Hernandez

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below



3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

Mail

Mail Restricted Delivery

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery