

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 104-18**

Certified Mail
May 30, 2018

Owner: **Brinson, Frank C Trust**
Brinson, Don A Tre
326 N Belcher Rd.
Clearwater, FL 33765-2635

Violation Address: **1760 Drew St., Clearwater**
Woodmere Heights Lot 31

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.C.1 & 3-1502.C.3** 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: CDC2018-00058

NAME OF VIOLATOR: BRINSON, FRANK C TRUST
BRINSON, DON A TRE
MAILING ADDRESS: 326 N BELCHER RD
CLEARWATER, FL 33765-2635

VIOLATION ADDRESS: 1760 DREW ST

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

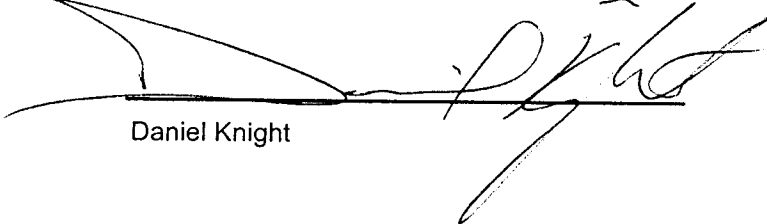
PARCEL #: 11-29-15-98946-000-0310

DATE OF INSPECTION: 5/15/2018 2:37:00 PM

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

3-1502.C.1. - ****DOOR AND WINDOW OPENINGS**** All windows and doors shall be secured in a tight fitting and weatherproof manner and have sashes of proper size and design.

3-1502.C.3. - ****Windows/Maintenance**** Windows shall be maintained in an unbroken and clean state. No window shall be permanently removed and enclosed, covered or boarded up unless treated as an integral part of the building facade using wall materials and window detailing comparable with any upper floors and the building facade 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 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.


Daniel Knight

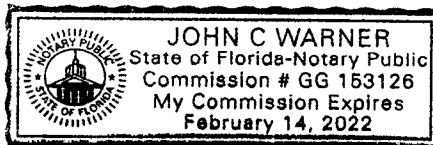
STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me on this 17th day of May, 2018, by Daniel Knight.

☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION

Type of Identification


(Notary Signature)



Name of Notary (typed, printed, stamped)

FILED THIS 30th DAY OF May, 20 18

MCEB CASE NO.

104-18

Heide 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

BRINSON, FRANK C TRUST
BRINSON, DON A TRE
326 N BELCHER RD
CLEARWATER, FL 33765-2635

CDC2018-00058

ADDRESS OR LOCATION OF VIOLATION: **1760 DREW ST**

LEGAL DESCRIPTION: WOODMERE HEIGHTS LOT 31

DATE OF INSPECTION: 1/10/2018

PARCEL: 11-29-15-98946-000-0310

Section of City Code Violated:

3-1502.C.1. - ****DOOR AND WINDOW OPENINGS**** All windows and doors shall be secured in a tight fitting and weatherproof manner and have sashes of proper size and design.

3-1502.C.3. - ****Windows/Maintenance**** Windows shall be maintained in an unbroken and clean state. No window shall be permanently removed and enclosed, covered or boarded up unless treated as an integral part of the building facade using wall materials and window detailing comparable with any upper floors and the building facade 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 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.

Specifically: On a recent sweep of your area the following violation was found at your property. Windows shall be maintained in an unbroken, and clean state. Windows shall not be permanently covered or boarded up. At the property there are multiple windows boarded up and painted over. Compliance can be met by removing all boarded up windows, remove all paint that is covering up windows and repair any windows that may be broken behind the boards. To avoid fines starting at \$143.00 or having this case brought in front of the Municipal Code Enforcement Board please meet compliance by the compliance date or contact me so we can talk about an extension to meet compliance. Please contact me with any questions. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 2/17/2018. 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: Daniel Knight
Inspector Phone: 727-562-4732

Date Printed: 1/16/2018

CC: 1760 Drew St

dards for all properties and to provide for the abatement of nuisances affecting the general public.

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.

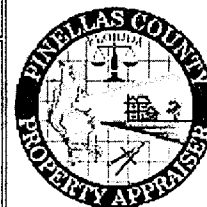
Exhibit A

[Interactive Map of this parcel](#) [Sales Query](#) [Back to Query Results](#) [New Search](#) [Tax Collector Home Page](#) [Contact Us](#) [WM](#)

11-29-15-98946-000-0310

Compact Property Record Card[Tax Estimator](#)**Updated May 16,
2018**[Email](#) [Print](#) [Radius Search](#)[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
BRINSON, FRANK C TRUST BRINSON, DON A TRE BRINSON, VENIE W TRUST BRINSON, DON A TRE 326 N BELCHER RD CLEARWATER FL 33765-2635	1760 DREW ST CLEARWATER

[Property Use](#): 1122 (Convenience Store (7-11, Circle K, drive through))Living Units:
0

[click here to hide] **Legal Description**
WOODMERE HEIGHTS LOT 31

File for Homestead Exemption			2018 Parcel Use
Exemption	2018	2019	
Homestead:	No	No	
Government:	No	No	Homestead Use Percentage: 0.00%
Institutional:	No	No	Non-Homestead Use Percentage: 100.00%
Historic:	No	No	Classified Agricultural: 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
19355/0768	Sales Query	121030266021	NON EVAC	45/45

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	\$210,000	\$210,000	\$210,000	\$210,000	\$210,000

[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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U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)

\$

☐ Return Receipt (electronic)

\$

☐ Certified Mail Restricted Delivery

\$

☐ Adult Signature Required

\$

☐ Adult Signature Restricted Delivery

\$

Postmark
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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:

Brinson, Frank C. Trust
Brinson, Don A. TRE
326 N. Belcher Rd
Clearwater, FL 33765
Ref: 1760 Drew St.



9590 9403 0274 5155 0239 97

2. Article Number (Transfer from service label)

7017 1450 0000 6479 4324

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

1/27/18

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

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

☐ Registered Mail Restricted Delivery

(500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt