

NOTICE OF HEARING – REPEAT VIOLATION
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 139-18

Certified Mail
August 10, 2018

Owner: **Now Investments Inc**
c/o Arvana Inc
PO Box 12729
St. Petersburg, FL 33733-2729

Violation Address: **1745 Drew St., Clearwater**
Sky Crest Unit NO. 2 Blk C, Lots 1 and 2

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, September 26, 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(s) of Section(s) **3-1806.A** of the City of Clearwater Code. (See attached Affidavit(s) of Repeat 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 and 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.

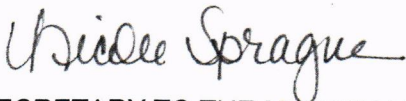
The case shall be presented to the Board even if the violation(s) described in the attached Affidavit(s) of Repeat Violation is/are corrected prior to the Board hearing.

Should you be found to have committed a repeat violation of the City Code, the Municipal Code Enforcement Board has the power by law to levy fines of up to \$500 a day against you and your property for every day each violation continues beyond the date of notice to you of the repeat violation(s).

A repeat violation is a violation of a provision of a Code or Ordinance by a person whom the Code Enforcement Board previously found to have violated the same provision within five (5) years prior to the violation.

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 violation(s) or if the violation(s) is/are corrected prior to the hearing, please contact the Inspector whose name appears on the Affidavit of Repeat 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 hearing if you require special accommodations at 727-562-4090. Assisted Listening Devices are available. Kindly silence electronic devices during the hearings.

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

NAME OF VIOLATOR: NOW INVESTMENTS INC
MAILING ADDRESS: PO BOX 12729
ST PETERSBURG, FL 33733-2729

CITY CASE#: BIZ2018-00154

VIOLATION ADDRESS: 1745 DREW ST
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 7/13/2018

LEGAL DESCRIPTION OF PROPERTY: SKY CREST UNIT NO. 2 BLK C, LOTS 1 AND 2

PARCEL #: 14-29-15-82404-003-0010

DATE OF INSPECTION: 7/19/2018 2:57:00 PM

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

3-1806.A. ** TEMPORARY SIGNS ** 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.

TABLE 3-1806.1b. ** CRITERIA AND LIMITATIONS FOR ALL OTHER TEMPORARY SIGNS IN ALL ZONING DISTRICTS ** Please see the enclosed copy of Table 3-1806.1b.

SPECIFICALLY,

**** THIS IS A REPEAT VIOLATION **** Last month on 6-27-18, the Municipal Code Enforcement Board found that this property was in violation for violating the temporary signage ordinances. The Board ordered a Declaration of Violation at the property for these violations and if they were to reoccur within the next 5 years that a fine of up to \$500.00 per day the violation exists could be assessed to the property from the day the violation was observed. On 7-3-18 I went out to the property and found multiple temporary signs violating the temporary sign ordinances presented in Table 3-1806.1b. These signs were advertising for the insurance company doing business at the property. I went back out on 7-13-18 and the same violation existed. This case will be presented in front of the Municipal Code Enforcement Board as a Repeat Violation on 9-26-18 and can be fined up to \$500.00 per day that the violation of the temporary sign ordinances continues to exist at the property. Please remove all temporary signage from the property and only re-erect the temporary signage if it/they can meet all the criteria and limitations presented in Table 3-1806.1b. If you have any questions please contact me. Thank you.

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

Daniel Knight

SWORN AND SUBSCRIBED before me on this 23th day of July, 2018, by Daniel Knight.

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 9th DAY OF August, 2018

MCEB CASE NO. 139-18

Heidi 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 Repeat Violation

NOW INVESTMENTS INC
PO BOX 12729
ST PETERSBURG, FL 33733-2729

BIZ2018-00154

ADDRESS OR LOCATION OF VIOLATION: 1745 DREW ST

LEGAL DESCRIPTION: SKY CREST UNIT NO. 2 BLK C, LOTS 1 AND 2

DATE OF INSPECTION: 7/13/2018

PARCEL: 14-29-15-82404-003-0010


Section of City Code Violated:

3-1806.A. ** TEMPORARY SIGNS ** 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.

TABLE 3-1806.1b. ** CRITERIA AND LIMITATIONS FOR ALL OTHER TEMPORARY SIGNS IN ALL ZONING DISTRICTS ** Please see the enclosed copy of Table 3-1806.1b.

Specifically: **** THIS IS A REPEAT VIOLATION *** Last month on 6-27-18, the Municipal Code Enforcement Board found that this property was in violation for violating the temporary signage ordinances. The Board ordered a Declaration of Violation at the property for these violations and if they were to reoccur within the next 5 years that a fine of up to \$500.00 per day the violation exists could be assessed to the property from the day the violation was observed. On 7-3-18 I went out to the property and found multiple temporary signs violating the temporary sign ordinances presented in Table 3-1806.1b. These signs were advertising for the insurance company doing business at the property. I went back out on 7-13-18 and the same violation existed. This case will be presented in front of the Municipal Code Enforcement Board as a Repeat Violation on 9-26-18 and can be fined up to \$500.00 per day that the violation of the temporary sign ordinances continues to exist at the property. Please remove all temporary signage from the property and only re-erect the temporary signage if it/they can meet all the criteria and limitations presented in Table 3-1806.1b. If you have any questions please contact me. Thank you.

THIS VIOLATION 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: 7/13/2018

Section 3-1806. - Temporary signs.

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 ¹	8	4
Maximum sign size (area) for a temporary sign ²	4 sq. ft.	16 sq. ft.
Maximum sign height for a temporary freestanding sign ³	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 ⁴	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 ⁵	15 ft.	15 ft.
Maximum aggregate surface area allocated for all temporary signs on a parcel ⁶	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.

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 twenty-five (25%) 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.

Section 3-1806. - Temporary signs.

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

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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 ⁴	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 ⁵	15 ft.	15 ft.
Maximum aggregate surface area allocated for all temporary signs on a parcel ⁶	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

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3 calendar days

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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.

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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.

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

14-29-15-82404-003-0010

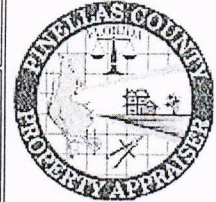
Compact Property Record Card

[Tax Estimator](#) **Updated July 21,
2018**

[Email](#) [Print](#) [Radius Search](#)

[FEMA/WLM](#)

<u>Ownership/Mailing Address</u> Change Mailing Address	Site Address
NOW INVESTMENTS INC C/O ARVANA INC PO BOX 12729 ST PETERSBURG FL 33733-2729	1745 DREW ST CLEARWATER



Property Use: 1121 (Strip Store - (2 or more stores - some may include an office, convenience store, bar and/or restaura)

Total Heated SF: 7,200
Total Gross SF: 8,555

[\[click here to hide\]](#) **Legal Description**

SKY CREST UNIT NO. 2 BLK C, LOTS 1 AND 2

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
10669/0590	Sales Query	121030266022	NON EVAC	28/3

2017 Final Value Information

Year	<u>Just/Market Value</u>	<u>Assessed Value / Non-HX Cap</u>	<u>County Taxable Value</u>	<u>School Taxable Value</u>	<u>Municipal Taxable Value</u>
2017	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000

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

Year	<u>Homestead Exemption</u>	<u>Just/Market Value</u>	<u>Assessed Value</u>	<u>County Taxable Value</u>	<u>School Taxable Value</u>	<u>Municipal Taxable Value</u>
2017	No	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000
2016	No	\$382,000	\$382,000	\$382,000	\$382,000	\$382,000

For original NA

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">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.		<ul style="list-style-type: none">A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Arvana Property Management Inc. 5675 34th St. W St. Petersburg, FL 33714		B. Received by (Printed Name) A. M. ... C. Date of Delivery 3/15/18	
2. Article Number (Transfer from service label) 7016 3010 0000 8831 6572		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
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1. Article Addressed to: Now Investments Inc. P.O. Box 12729 St. Petersburg, FL 33733		B. Received by (Printed Name) Michael ... C. Date of Delivery 3/15/18	
2. Article Number (Transfer from service label) 7016 3010 0000 8831 6589		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

03/26/2018