

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 146-18**

Certified Mail
August 10, 2018

Owner: **Fredrick J & Malinda E Howard**
1436 Rosetree Ct.
Clearwater, FL 33764-2833

Violation Address: **1436 Rosetree Ct.**
Rosetree Court Lot 11

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 of Section **3-1502.B** of the Clearwater City Code. (See attached Affidavit(s) of Violation).

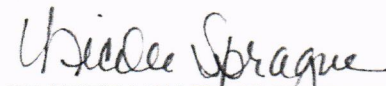
You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent 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 727-562-4097. 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 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

City Case Number: CDC2018-01398

NAME OF VIOLATOR: FREDRICK J HOWARD
MALINDA E HOWARD
MAILING ADDRESS: 1436 ROSETREE CT
CLEARWATER, FL 33764-2833

VIOLATION ADDRESS: 1436 ROSETREE CT

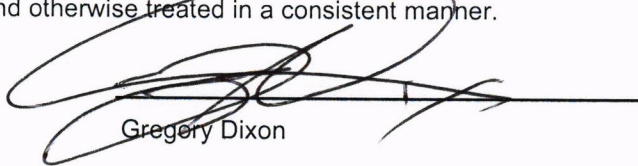
LEGAL DESCRIPTION OF PROPERTY: See "Exhibit "A", Pinellas County Property Records Printout, attached, for legal description

PARCEL #: 19-29-16-77079-000-0110

DATE OF INSPECTION: 6/29/2018 3:58:00 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.



Gregory Dixon

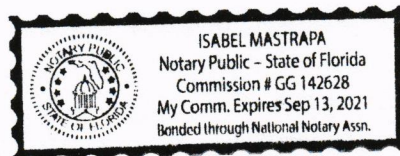
STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me on this 24th day of July, 2018, by Gregory Dixon.

☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION

Type of Identification


(Notary Signature)
Isabel Mastrapa



Name of Notary (typed, printed, stamped)

FILED THIS 29 DAY OF July, 2018

MCEB CASE NO.

146.18
Chloe Sprague

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

FREDRICK J HOWARD
MALINDA E HOWARD
1436 ROSETREE CT
CLEARWATER, FL 33764-2833

CDC2018-01398

ADDRESS OR LOCATION OF VIOLATION: 1436 ROSETREE CT

LEGAL DESCRIPTION: ROSETREE COURT LOT 11

DATE OF INSPECTION: 6/29/2018

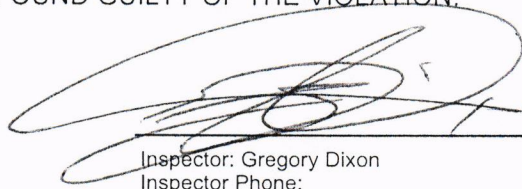
PARCEL: 19-29-16-77079-000-0110

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 recent inspection, the above listed condition(s) 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, rotted wood and maintain the property on a regular basis. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 7/30/2018. 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: Gregory Dixon
Inspector Phone:

Date Printed: 6/29/2018

4. Bicycle parking spaces shall be on a hard surface constructed of asphalt or concrete material, brick, decorative pavers or similar materials.

(Ord. No. 8988-17, § 17, 2-2-17)

DIVISION 15. PROPERTY MAINTENANCE STANDARDS

Section 3-1501. Purpose.

The purpose of this division is to protect the comfort, health, repose, safety and general welfare of the citizens of the city by establishing minimum property and building maintenance standards 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

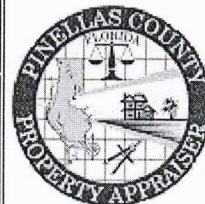
Exhibit A

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

19-29-16-77079-000-0110

Compact Property Record Card[Tax Estimator](#)
**Updated July 24,
2018**
[Email](#) [Print](#) [Radius Search](#)
[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
HOWARD, FREDRICK J HOWARD, MALINDA E 1436 ROSETREE CT CLEARWATER FL 33764-2833	1436 ROSETREE CT CLEARWATER

[Property Use:](#) 0110 (Single Family Home)

Total Living: SF: 2,206 Total Gross SF: 3,338

Total Living Units: 1

[click here to hide] **Legal Description**

ROSETREE COURT LOT 11

Mortgage Letter Exemption <input type="checkbox"/> File for Homestead			2018 Parcel Use
Exemption	2018	2019	
Homestead:	Yes	Yes	* Assuming no ownership changes before Jan. 1
Government:	No	No	Homestead Use Percentage: 100.00%
Institutional:	No	No	Non-Homestead Use Percentage: 0.00%
Historic:	No	No	Classified Agricultural: No

Parcel Information [Latest Notice of Proposed Property Taxes \(TRIM Notice\)](#)

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone (NOT the same as a FEMA Flood Zone)	Plat Book/Page
10583/1459	\$327,600 Sales Query	121030254123	C	79/20

2017 Final Value Information

Year	Just/Market Value	Assessed Value / SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2017	\$269,700	\$191,766	\$141,766	\$166,766	\$141,766

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

Year	Homestead Exemption	Just/Market Value	Assessed Value	County Taxable Value	School Taxable Value	Municipal Taxable Value
2017	Yes	\$269,700	\$191,766	\$141,766	\$166,766	\$141,766

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:
 Frederick J. Howard
 Malinda E. Howard
 1436 Rosetree CT
 Clearwater, FL 33764-2833



9590 9402 3761 8032 0109 60

2. Article Number (Transfer from service label)
 7018 0680 0002 2902 8050

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Malinda E. Howard* ☐ Agent ☒ Addressee
 B. Received by (Printed Name) C. Date of Delivery
 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
☐ Registered Mail
☐ Registered Mail Restricted Delivery
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

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 \$

Postage
 \$
 Total Postage and Fees
 \$

Sent To
 Street and Apt. No., or PO Box No.
 City, State, ZIP+4®

Postmark
 Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions