

**NOTICE OF HEARING  
MUNICIPAL CODE ENFORCEMENT BOARD  
CITY OF CLEARWATER, FLORIDA  
Case 03-19**

**Certified Mail**  
**December 12, 2018**

Owner: **Gerrity Family Trust**  
**Gerrity, Christopher T Tre**  
**2008 Mountain Ash Way**  
**New Port Richey, FL 34655-4133**

Violation Address: **1500 S Missouri Ave., Clearwater**  
**Carolina Terrace Blk C, Lot 4 & E 41.9Ft of Lot 3 Less Rd R/W on E**

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, January 23, 2019, 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 **3-1502.I & 3-1805.Q.2** of the Clearwater City Code. (See attached Affidavit(s) of Violation).

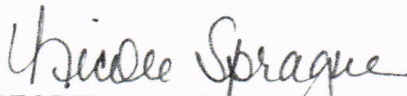
You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent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

NAME OF VIOLATOR: GERRITY FAMILY TRUST  
MAILING ADDRESS: GERRITY, CHRISTOPHER T TRE  
2008 MOUNTAIN ASH WAY  
NEW PORT RICHEY, FL 34655-4133

CITY CASE#: BIZ2018-00516

VIOLATION ADDRESS: 1500 S MISSOURI AVE  
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 10/26/2018

LEGAL DESCRIPTION OF PROPERTY: CAROLINA TERRACE BLK C, LOT 4 & E 41.9FT OF LOT 3  
LESS RD R/W ON E

PARCEL #: 22-29-15-13662-003-0040

DATE OF INSPECTION: 11/27/2018 3:10:00 PM

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

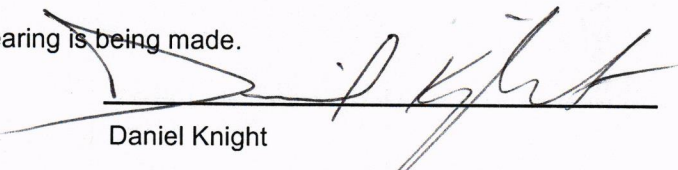
3-1502.I. - \*\*SIGN MAINTENANCE\*\* \* All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling or fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired, painted or replaced.

3-1805.Q.2. \*\*\* MAINTENANCE OF SIGNS \*\*\* A sign shall be maintained in a state of good repair.

SPECIFICALLY,

All signs erected within the City of Clearwater City limits shall be maintenance in a good condition free of any damaged, rust, mold/mildew, fading and peeling paint. At the property Smoothie Coffee has a freestanding sign that is missing a face panel. Compliance can be met by repairing and/or replacing the freestanding sign so that it is in a good condition free of any damage, rust, mold/mildew, fading and peeling paint and making sure that all face panels are erected. The face panels can be blank for compliance to be met. To avoid fines starting at \$143.00 or having this case presented in front of the Municipal Code Enforcement Board please meet compliance by the compliance date. 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 7th day of December, 2018, by Daniel Knight.

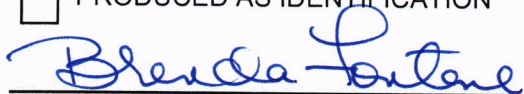
STATE OF FLORIDA  
COUNTY OF PINELLAS



PERSONALLY KNOWN TO ME



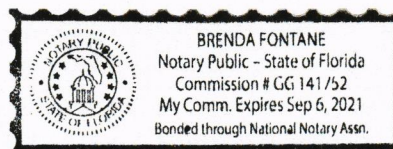
PRODUCED AS IDENTIFICATION



(Notary Signature)

\_\_\_\_\_  
Type of Identification

\_\_\_\_\_  
Name of Notary (typed, printed, stamped)

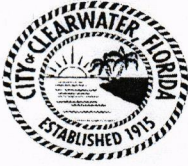


FILED THIS 11<sup>th</sup> DAY OF December, 20 18

MCEB CASE NO. 03-19

Chino 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

GERRITY FAMILY TRUST  
GERRITY, CHRISTOPHER T TRE  
2008 MOUNTAIN ASH WAY  
NEW PORT RICHEY, FL 34655-4133

**BIZ2018-00516**

ADDRESS OR LOCATION OF VIOLATION: **1500 S MISSOURI AVE**

LEGAL DESCRIPTION: CAROLINA TERRACE BLK C, LOT 4 & E 41.9FT OF LOT 3  
LESS RD R/W ON E

DATE OF INSPECTION: 10/25/2018

PARCEL: 22-29-15-13662-003-0040

Section of City Code Violated:

3-1502.I. - **\*\*SIGN MAINTENANCE\*\*** 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.

3-1805.Q.2. **\*\*\* MAINTENANCE OF SIGNS \*\*\*** A sign shall be maintained in a state of good repair.

Specifically: All signs erected within the City of Clearwater City limits shall be maintenance in a good condition free of any damaged, rust, mold/mildew, fading and peeling paint. At the property Smoothie Coffee has a freestanding sign that is missing a face panel. Compliance can be met by repairing and/or replacing the freestanding sign so that it is in a good condition free of any damage, rust, mold/mildew, fading and peeling paint and making sure that all face panels are erected. The face panels can be blank for compliance to be met. To avoid fines starting at \$143.00 or having this case presented in front of the Municipal Code Enforcement Board please meet compliance by the compliance date. If you have any questions please contact me. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 11/27/2018. 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: Daniel Knight  
Inspector Phone: 727-562-4732

Date Printed: 10/26/2018

CC: 1500 S Missouri Ave Smoothie Coffee

NOV\_PropOwn



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.
3. No temporary or permanent storage of materials or equipment shall be allowed on any vacant parcel except in compliance with the regulations for the use of

such property as set forth under Article 2 and Article 3 Division 9 of this Development Code.

**K. Public rights-of-way and sidewalks and parking surfaces.**

1. Public rights-of-way and sidewalks adjoining an improved parcel of land which, because of its location and character, is used as if it were appurtenant to or an extension of the parcel of land, shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep such rights-of-way and sidewalks clear of litter, trash, debris, equipment, weeds, trees, shrubs and other vegetation and refuse and provide a height clearance of at least eight feet from the sidewalk pavement measured vertically from the pavement surface, unless an exception has been granted by the urban forester for protected trees. All unpaved areas shall be landscaped with grass or other ground cover and such areas shall be regularly mowed or otherwise maintained in a neat and attractive condition.
2. No person shall erect, place or locate any structure, display materials, merchandise, or similar objects within the limits of any street right-of-way unless specifically permitted pursuant to the provisions of this Development Code.
3. No trash receptacles, newspaper racks or other dispensing machines shall be located in a public right-of-way unless specifically authorized by the city and other applicable agencies.
4. Parking lot and driveway surfaces shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep such surface free of pot holes, litter, trash, debris, equipment, weeds, dead vegetation and refuse and shall promptly repair cracked or heaved parking lot surfaces.

no case shall the cumulative area of all window signs on any façade exceed 50 square feet. No sign permit is required.

P. Safety and Warning Signs.

Safety or warning signs which do not exceed six (6) square feet of total sign face area per sign are allowed on any parcel. No sign permit is required.

Q. Maintenance of Sign Location and Sign.

1. Weeds and grass shall be kept cut in front of, behind, underneath, and from around the base of the sign for a minimum distance of ten (10) feet from the sign base, and there shall be no rubbish or debris within ten (10) feet of the sign base or underneath the sign.

2. A sign shall be maintained in a state of good repair.



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

**22-29-15-13662-003-0040**

**Compact Property Record Card**

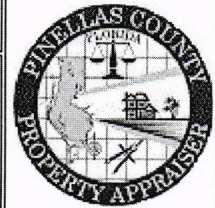
[Tax Estimator](#)

**Updated December  
7, 2018**

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

[FEMA/WLM](#)

<b>Ownership/Mailing Address <a href="#">Change</a> Mailing Address</b>	<b>Site Address</b>
GERRITY FAMILY TRUST GERRITY, CHRISTOPHER T TRE GERRITY, MARY A TRE 2008 MOUNTAIN ASH WAY NEW PORT RICHEY FL 34655-4133	1500 S MISSOURI AVE CLEARWATER



Property Use: 1120 (Single Building Store - free standing (not otherwise described) laundromat, produce shop, rental equ)

Total Heated SF: 1,176    Total Gross SF: 2,016

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

CAROLINA TERRACE BLK C, LOT 4 & E 41.9FT OF LOT 3 LESS RD R/W ON E

<b>File for Homestead Exemption</b>			<b>2019 Parcel Use</b>
<b>Exemption</b>	<b>2018</b>	<b>2019</b>	
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)**

<b>Most Recent Recording</b>	<b><u>Sales Comparison</u></b>	<b><u>Census Tract</u></b>	<b>Evacuation Zone (NOT the same as a FEMA Flood Zone)</b>	<b>Flood Zone (NOT the same as your evacuation zone)</b>	<b>Plat Book/Page</b>
18616/0878	<a href="#">Sales Query</a>	121030258002	NON EVAC	<a href="#">Compare Preliminary to Current FEMA Maps</a>	12/15

**2018 Interim Value Information**

<b>Year</b>	<b><u>Just/Market Value</u></b>	<b><u>Assessed Value / Non-HX Cap</u></b>	<b><u>County Taxable Value</u></b>	<b><u>School Taxable Value</u></b>	<b><u>Municipal Taxable Value</u></b>
2018	\$90,000	\$90,000	\$90,000	\$90,000	\$90,000



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

For delivery information, visit our website at [www.usps.com](http://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

**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:

Gerrity Family Trust  
Gerrity, Christopher T & Tre  
2008 Mountain Ash Way  
New Port Richey, FL 34655



9590 9402 3783 8032 0584 83

PSN: 1500 S Missouri Ave #2

2. Article Number (Transfer from service label)

7018 0680 0002 2858 6629

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*Mary Gerrity* ☒ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

*Mary Gerrity* *7-10-18*

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  
☐ Insured Mail Restricted Delivery (over \$500)  
☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

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

Domestic Return Receipt