

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 05-19**

Certified Mail
December 12, 2018

Owner: Zahid N Roy
1412 N Ft Harrison Ave
Clearwater, FL 33755

✓ Violation Address: 1412 N Ft Harrison Ave.
Sharp's Sub, J.T. Lot 1

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 **3-1408 & 3-1503.B.6** 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: ZAHID N ROY
MAILING ADDRESS: 700 MINNESOTA DR
CLEARWATER, FL 33755-2541

CITY CASE#: CDC2018-02066

VIOLATION ADDRESS: 1412 N FT HARRISON AVE
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 10/25/2018

LEGAL DESCRIPTION OF PROPERTY: SHARP'S SUB, J. T. LOT 1

PARCEL #: 09-29-15-80442-000-0010

DATE OF INSPECTION: 12/7/2018 10:31:00 AM

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

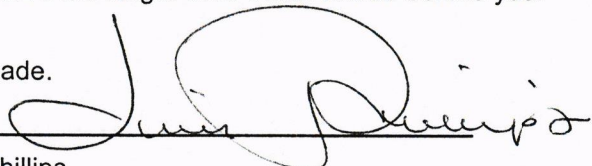
3-1408 - **COMMERCIAL PARKING RESTRICTIONS** Commercial trucks, semi-tractor trailers, cabs and other commercial vehicles shall be permitted to be parked or stored on commercial property only if such vehicles are associated with the property on which they are located.

3-1503.A.B.6 **OUDOOR STORAGE/INOPERABLE VEHICLE** Except as provided in section 3-1506, the outdoor storage of all or part of any dismantled, partially dismantled, inoperative or discarded vehicle, recreational vehicle, machinery, appliance, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, bicycle, or scrap metal, on any public or private property, or of any abandoned vehicle, recreational vehicle, farm equipment, aircraft, boat, personal watercraft, trailer, truck, or motorcycle on any private property, within the city limits. This provision shall not apply to any vehicle, recreational vehicle, machinery, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, or bicycle which is located on the premises of a lawfully established storage yard or which is on the premises of a lawfully established vehicle service establishment and is in the process of repair or maintenance by that establishment.

SPECIFICALLY,

The outdoor storage of any inoperable vehicle is prohibited. Commercial vehicles are only allowed to be parked or stored on commercial property if such vehicles are associated with the property on which they are located. Please remove the single wide trailer stored behind your property to achieve compliance. Thank you!

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

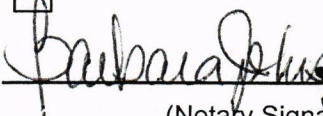


Julie Phillips

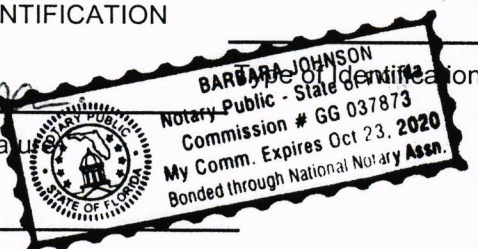
SWORN AND SUBSCRIBED before me on this 7th day of December, 2018, by Julie Phillips.

STATE OF FLORIDA
COUNTY OF PINELLAS

- ☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION



(Notary Signature)



Name of Notary (typed, printed, stamped)

FILED THIS 1st DAY OF December, 2018

MCEB CASE NO. 05-19

Yvonne 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

ZAHD N ROY
700 MINNESOTA DR
CLEARWATER, FL 33755-2541

CDC2018-02066

ADDRESS OR LOCATION OF VIOLATION: **1412 N FT HARRISON AVE**

LEGAL DESCRIPTION: SHARP'S SUB, J. T. LOT 1

DATE OF INSPECTION: 10/25/2018

PARCEL: 09-29-15-80442-000-0010

Section of City Code Violated:

3-1408 - **COMMERCIAL PARKING RESTRICTIONS** Commercial trucks, semi-tractor trailers, cabs and other commercial vehicles shall be permitted to be parked or stored on commercial property only if such vehicles are associated with the property on which they are located.

3-1503.A.B.6 **OUTDOOR STORAGE/INOPERABLE VEHICLE** Except as provided in section 3-1506, the outdoor storage of all or part of any dismantled, partially dismantled, inoperative or discarded vehicle, recreational vehicle, machinery, appliance, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, bicycle, or scrap metal, on any public or private property, or of any abandoned vehicle, recreational vehicle, farm equipment, aircraft, boat, personal watercraft, trailer, truck, or motorcycle on any private property, within the city limits. This provision shall not apply to any vehicle, recreational vehicle, machinery, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, or bicycle which is located on the premises of a lawfully established storage yard or which is on the premises of a lawfully established vehicle service establishment and is in the process of repair or maintenance by that establishment.

Specifically: The outdoor storage of any inoperable vehicle is prohibited. Commercial vehicles are only allowed to be parked or stored on commercial property if such vehicles are associated with the property on which they are located. Please remove the single wide trailer stored behind your property to achieve compliance. Thank you!

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO **11/5/2018**. 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: Julie Phillips
Inspector Phone: 562-4730

Date Printed: 10/26/2018

NOV_PropOwn

- b. Boat trailer in excess of 25 feet;
 - c. Hauling trailer;
 - d. Recreation vehicles, trailers, motor homes and camping trailers; and
 - e. Any race car, dune buggy, farm equipment, go kart, ATV, or other similar vehicle not designated for street operation.
4. *Large vehicles.* The following vehicles shall be not be parked or stored in any residential zoning districts:
- a. Commercial vehicles measuring in excess of 20 feet in total chassis and body length, seven feet in total width or seven feet in total height, including appurtenances, equipment and cargo are prohibited; and
 - b. Semi-tractor trailer, semi-tractor cab or any garbage truck, pump-out truck, chemical truck, gasoline truck, fuel oil truck or similar vehicle designed to transport wastes or hazardous or noxious materials.
5. *Exception to prohibition of parking on unpaved areas on single-family and duplex residential property.* One designated parking space may be located on the grass in a required front setback adjacent to and parallel to the driveway located on the property. Access to such designated parking space shall be by way of the property's driveway. If the designated parking space can not be maintained as a grass area and is either reported by neighboring residents as a detrimental property or is identified by any code inspector as in violation of this provision, such designated parking area shall be filled in, by the property owner, with pavers, concrete, turf block or asphalt. Materials not permitted include crushed shell, mulch, millings or similar material.
7. *Parking on unpaved area prohibited.* No parking, displaying, or storing of vehicles, trailers and/or boats shall be permitted

on any grass surface or other unpaved area zoned for any use unless specifically authorized in this section.

B. Exception.

- 1. Commercial vehicles during the actual performance of a service at the premises where the vehicle is parked.
- 2. Loading, unloading, or cleaning of vehicles, but not including semitrailer trucks or cabs, provided such activity is fully completed within 24 hours and provided such activity does not occur at the same location more than two times per month.
- 3. Emergency vehicles.
(Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 6595-00, § 6, 9-7-00; Ord. No. 6928-02, §§ 65—70, 5-2-02; Ord. No. 7605-06, § 26, 4-20-06; Ord. No. 7835-07, § 17, 1-17-08; Ord. No. 8211-10, § 10, 10-5-10)

Section 3-1408. Parking restrictions in commercial areas.

Commercial trucks, semi-tractor trailers, cabs and other commercial vehicles shall be permitted to be parked or stored on commercial property only if such vehicles are associated with the property on which they are located.
(Ord. No. 6526-00, § 1, 6-15-00)

Section 3-1409. Handicapped parking spaces.

A. All new or expanded uses shall be provided with handicapped parking spaces based upon the number of spaces required to serve the new or expanded use, as follows:

Total Spaces Required in Parking Lot	Number of Handicapped Spaces
1—25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7

5. All sidewalks located on private property shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep sidewalks clear of litter, trash, debris, equipment, weeds, dead vegetation and refuse. Sidewalks that are cracked, heaved or otherwise unsafe for pedestrians shall be promptly replaced.

L. *Maintenance of seawalls.* All seawalls shall be maintained in structurally sound condition and shall comply with applicable building and coastal construction codes.

(Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 6928-02, §§ 71—75, 5-2-02; Ord. No. 7449-05, § 20, 12-15-05; Ord. No. 8211-10, § 11, 10-5-10; Ord. No. 8931-16, § 18, 9-1-16)

Section 3-1503. Nuisances.

A. No person owning, leasing, operating, occupying or having control of any premises within the city shall maintain, keep or permit any nuisance affecting the citizens of the city.

B. The existence of any of the following specific conditions or conduct is hereby declared to constitute a public nuisance:

1. A condition or use that causes a substantial diminution of value of property in the vicinity of the condition or use.
2. Buildings which are abandoned, boarded up for a period of six months, partially destroyed for any period of time, or left for a period of three months in a state of partial construction, provided that any unfinished building or structure which has been under construction six months or more shall be deemed and presumed to have been left for an unreasonably long period of time in the sense of this subsection.
3. Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.

4. Overt blocking of drainage pipes, ditches, channels, and streams, so as to cause flooding and adversely affect surrounding property.

5. Accumulation and placement of nuisances.

- a. Any accumulation of weeds, debris, trash, garden trash, junk, untended growth of vegetation, or undergrowth of dead or living vegetation or hazardous swimming pools, or hazardous trees upon any private property, or on any public property without authorization to the extent and manner that such property contains or is likely to contain rodents, reptiles or other vermin, or furnishes a breeding place for flies, mosquitoes, or wood-destroying insects, or otherwise threatens the public health, safety or welfare.

- b. The placement of trash, debris or other items on public property without authorization.

6. Except as provided in section 3-1506, the outdoor storage of all or part of any dismantled, partially dismantled, inoperative or discarded vehicle, recreational vehicle, machinery, appliance, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, bicycle, or scrap metal, on any public or private property, or of any abandoned vehicle, recreational vehicle, farm equipment, aircraft, boat, personal watercraft, trailer, truck, or motorcycle on any private property, within the city limits. This provision shall not apply to any vehicle, recreational vehicle, machinery, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, or bicycle which is located on the premises of a lawfully established storage yard or which is on the premises of a lawfully established vehicle service establishment and is in the process of repair or maintenance by that establishment.

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

City Case Number: CDC2018-02066

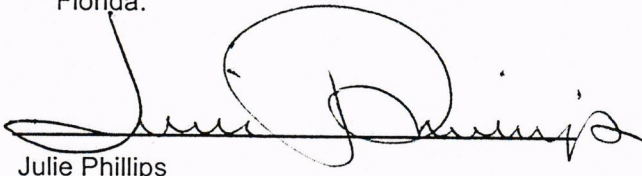
Site of Violation: 1412 N FT HARRISON AVE

RECEIVED

NOV 19 2018

1. Julie Phillips, being first duly sworn, deposes and says:
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 19th day of November, 2018, a copy of the attached Notice of Violation was posted at City Hall, 112 Osceola Ave., Clearwater, Florida and at 1412 N FT HARRISON AVE, Clearwater, Florida.

OFFICIAL RECORDS AND
LEGISLATIVE SRVCS DEPT.


Julie Phillips

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me on this 19th day of November, 2018, by Julie Phillips.

☒ PERSONALLY KNOWN TO ME

☐ PRODUCED AS IDENTIFICATION

N/A

Type of Identification

(Notary Signature)

Name of Notary (typed, printed, stamped)





CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
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CDC2018-02066

ADDRESS OR LOCATION OF VIOLATION: **1412 N FT HARRISON AVE**

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DATE OF INSPECTION: 11/19/2018

PARCEL: 09-29-15-80442-000-0010

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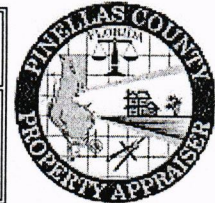
[Interactive Map of this parcel](#) [Sales Query](#) [Back to Query Results](#) [New Search](#) [Tax Collector Home Page](#) [Contact Us](#) [WM](#)

09-29-15-80442-000-0010

Compact Property Record Card


[Tax Estimator](#) **Updated December** [Email](#) [Print](#) [Radius Search](#) [FEMA/WLM](#)
7, 2018

<u>Ownership/Mailing Address Change</u> <u>Mailing Address</u>	<u>Site Address</u>
ROY, ZAHID N 1412 N FT HARRISON AVE CLEARWATER FL 33755	1412 N FT HARRISON AVE CLEARWATER




Property Use: 0820 (Duplex-Triplex-Fourplex) Total Living: Total Gross Total Living
SF: 2,296 SF: 2,568 Units: 4

[click here to hide] **Legal Description**
SHARP'S SUB, J. T. LOT 1

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

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

<u>Most Recent Recording</u>	<u>Sales Comparison</u>	<u>Census Tract</u>	<u>Evacuation Zone</u> (NOT the same as a FEMA Flood Zone)	<u>Flood Zone</u> (NOT the same as your evacuation zone)	<u>Plat Book/Page</u>
16296/2023 	\$66,000 <u>Sales Query</u>	121030261012	NON EVAC	<u>Compare Preliminary to Current FEMA Maps</u>	8/33

2018 Interim Value Information

<u>Year</u>	<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>
2018	\$45,763	\$45,763	\$45,763	\$45,763	\$45,763