

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA**

Certified Mail
12/03/2018

Owner: **MARJORIE D CONNELLY**
368 HIAWATHA DR
LAKE IN THE HILLS, IL 60156-1421
Violation Address: **151 DEVON DR**
Parcel # 08-29-15-04914-000-0420

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 Main Library, Room A/B, at 100 North Osceola Avenue, Clearwater, Florida, concerning violation of Section 4-203 A.1 and 47.083 of the Clearwater City Code, Standard Housing Code, or Florida Building Code, or National Electric 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, or give an order for the City of Clearwater to rectify the violation by any reasonable means necessary.

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,

SAM SWINTON


HOUSING INSPECTOR

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: MARJORIE D CONNELLY
MAILING ADDRESS: 368 HIAWATHA DR
LAKE IN THE HILLS, IL 60156-1421
CITY CASE#: SWO2017-06005
VIOLATION ADDRESS: 151 DEVON DR
CLEARWATER, FL
DATE OF OFFICIAL NOTICE OF VIOLATION: 9/27/2017
LEGAL DESCRIPTION OF PROPERTY: BAYSIDE SUB LOT 42 & W 1/2 OF LOT 41
PARCEL #: 08-29-15-04914-000-0420

DATE OF INSPECTION: 11/28/2018 9:31:00 AM

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

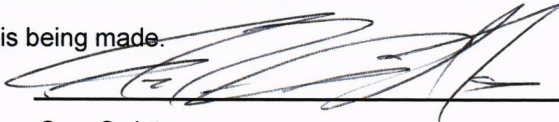
4-203.A.1 - No person shall commence any construction, demolition, modification or renovation of a building or structure without first obtaining a building permit.

47.083 - Work commencing before permit issuance.

SPECIFICALLY,

INSTALLED CONCRETE PRIVACY WALL AND CONCRETE STEPS TO THE EAST SIDE
OF HOME WITHOUT PROPER PERMITS AND INSPECTIONS.

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



Sam Swinton

SWORN AND SUBSCRIBED before me on this 28th day of November, 2018, by Sam Swinton.

STATE OF FLORIDA
COUNTY OF PINELLAS



PERSONALLY KNOWN TO ME

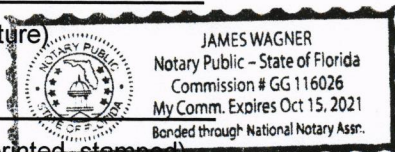


PRODUCED AS IDENTIFICATION

Type of Identification



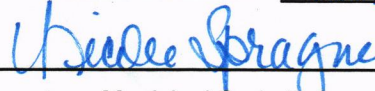
(Notary Signature)



Name of Notary (typed, printed, stamped)

FILED THIS 8th DAY OF January, 20 19

MCEB CASE NO. 1219



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) 562-4567 FAX (727) 562-4576

NOTICE OF VIOLATION

SWO2017-06005

MARJORIE D CONNELLY
368 HIAWATHA DR
LAKE IN THE HILLS, IL 60156-1421

ADDRESS OR LOCATION OF VIOLATION: **151 DEVON DR**

LEGAL DESCRIPTION: BAYSIDE SUB LOT 42 & W 1/2 OF LOT 41

DATE OF INSPECTION: 09/27/2017

PARCEL: 08-29-15-04914-000-0420

Section of City Code violated:

4-203.A.1 - No person shall commence any construction, demolition, modification or renovation of a building or structure without first obtaining a building permit.

47.083 - Work commencing before permit issuance.

Specifically, FINAL NOTICE

INSTALLED CONCRETE PRIVACY WALL AND CONCRETE STEPS TO THE EAST SIDE OF HOME WITHOUT PROPER PERMITS AND INSPECTIONS.

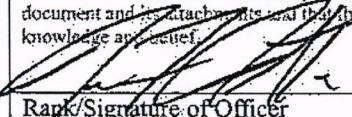
PERMIT(S) MUST BE OBTAIN TO AVOID ANY FURTHER LEGAL ACTION

FINES UP TO \$250 PER DAY MAY BE IMPOSED FOR NON-COMPLIANCE

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 10/11/2017. 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 Signature

DATE MAILED: 9/27/2017
INSPECTOR: Sam Swinton
INSPECTOR TELEPHONE: 562-4712
70160600000066227230

COUNTY COURT, PINELLAS COUNTY, FLORIDA NOTICE TO APPEAR/ORDINANCE VIOLATION					
OBTS Number		Person ID		Court Case Number	
Agency: CITY OF CLEARWATER			Report Number:(COMPLAINT) SWD2017-06005		
THE UNDERSIGNED SWEARS THAT HE/SHE HAS REASONABLE GROUNDS TO BELIEVE THAT THE BELOW NAMED DEFENDANT, AT THE TIME AND PLACE LISTED,					
Day of Week	Month	Day	Year	Time	
	06	08	2017		
Name First		Middle		Last	
MARJORIE		D		CONNELLY	
Street 368 HEAWATHA DR					
City		State	Zip Code	Race	Sex
LAKE IN THE HILLS		IL	60156		
Telephone	Place of Birth	Citizenship		Soc Sec Number	
Driver License Number		State	Employment		
Date of Birth	Height	Weight	Hair Color	Eye Color	
LOCATION OF OFFENSE 151 DEVON DR					
IN PINELLAS COUNTY FLORIDA, DID COMMIT THE FOLLOWING OFFENSE: 1 OF 1 CHARGES					
TO-WIT:					
INSTALLED CONCRET PRIVACY WALL					
AND CONCRETE STEPS TO EASTSIDE					
WITHOUT PROPER PERMITS + INSPECTIONS					
CONTRARY TO <input type="checkbox"/> FLORIDA STATE STATUTE <input checked="" type="checkbox"/> ORDINANCE					
CITY/COUNTY OF:		SECTION	SUB-SECTION		
CLEARWATER		4203.A.1	47.083		
<input type="checkbox"/> THIS IS A MISDEMEANOR VIOLATION OF FLORIDA STATE STATUTES REQUIRING AN APPEARANCE IN COURT. <input type="checkbox"/> THIS IS A CRIMINAL ORDINANCE VIOLATION REQUIRING AN APPEARANCE IN COURT. THE PAYMENT OF THE LISTED FINE, OR A WRITTEN PLEA OF NOT GUILTY TO THE OFFENSE CHARGED IN PERSON OR BY MAIL WITHIN THIRTY (30) CALENDAR DAYS. <input checked="" type="checkbox"/> THIS IS AN ORDINANCE VIOLATION REQUIRING PAYMENT OF THE LISTED FINE OR A WRITTEN PLEA OF NOT GUILTY TO THE OFFENSE CHARGED IN PERSON OR BY MAIL WITHIN THIRTY (30) CALENDAR DAYS.					
COURT INFORMATION					
DATE	TIME	COURTROOM	FINE \$		
2/15/18			\$186.00		
COUNTY JUSTICE CENTER 14250 49 TH STREET N CLEARWATER, FLORIDA 33762 I agree to (1) appear at the time and place designated above to answer to the offense charged; (2) enter a written plea of not guilty to the offense charged in person or by mail; or (3) pay the fine listed. I understand that should I willfully fail to appear, fail to enter a written plea of not guilty, or fail to pay the required fine within thirty (30) calendar days, a capias may be issued for my arrest. I certify by my signature the above listed address is correct.					
Defendant's Signature					
Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read this document and its attachments and that the facts in it are true and correct to the best of my knowledge and belief.					
Rank/Signature of Officer		Badge Number		Person ID	
		00508493			

☐ 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:

MARJORIE D CONNELLY
368 HIAWATHA DR
LAKE IN THE HILLS, IL 60156

9590 9402 3044 7124 8030 77

2. Article Number (Transfer from service label)
7016 0600 0000 6622 7230

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

A. Signature
X *James Connolly* ☐ Agent ☐ Addressee

B. Received by (Printed Name)
JAMES CONNELLY

C. Date of Delivery
OCT 11 2017

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

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
☐ 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

USPS TRACKING #
CARTON STREAM

9590 9402 3044 7124 8030 77

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

RECEIVED
OCT 11 2017
PLANNING & DEVELOPMENT DEPT
CITY OF CLEARWATER

• Sender: Please print your name, address, and ZIP+4® in this box•

CITY OF CLEARWATER
PLANNING & DEVELOPMENT SERVICES
100 S MYRTLE AVENUE
CLEARWATER, FLORIDA 33756
ATTN: SAM SWINTON
RE: 157 DEVON DR

sidered acceptable for reliable public safety communications, corrective action will be required to assure radio system coverage reliability is retained. At the minimum, a radio signal booster system (800 MHz) will be required. In extreme situation, it may be necessary to install a satellite receiver station.

The radio system regulations will be applicable at time of new construction and/or at a redevelopment threshold of 50 percent value increase if 50 percent value or more upgrading of system is required. Single-family residences, townhouses as defined in the Florida Building Code - Residential - with four or fewer stories, multiple family structures with four or fewer stories, and/or other buildings with less than 250 horizontal feet in one dimension are exempt.

The radio signal booster system shall consist of an antenna subsystem (typically mounted on the roof or another exterior structure), a bi-directional amplifier subsystem with a backup power supply mounted in a suitable location on one or more floors of the building and an in-building antenna subsystem. The specifications and design of the system will be subject to approval by the City of Clearwater Radio Communications Shop or its designee and the Development and Neighborhood Services Department prior to the issuance of a building permit.
(Ord. No. 7617-06, § 1, 4-20-06)

ARTICLE IV. PERMITS

Sec. 47.081. Application.

The design professional shall be an architect or engineer legally registered under the laws of Florida regulating the practice of architecture or engineering and shall affix his official seal to drawings, specifications, and accompanying data for all group occupancies except R3. Group R3 buildings, regardless of size, where the work affects the structural components of a building must be designed for compliance to chapter 16, "Structural Loads," by an architect or engineer who shall affix his official seal to said drawings, specifications, and accompanying data, or shall

otherwise demonstrate compliance using alternatives approved by the Pinellas County Construction Licensing Board.

Exception: Construction less than \$10,000.00 and not affecting the structural components of the building.

(Ord. No. 5767-95, § 1, 3-16-95)

Note—Replaces Section 104.2.3.

Sec. 47.082. Moving of buildings.

When moving a building onto a lot within the city, the applicant shall provide a list of names and addresses of all property owners within 250 feet of the proposed site of the building. The building official shall mail a notice of the application to the owners of all properties situated within 250 feet of the subject property. All such notices shall be sent by mail to the last known names and addresses as indicated on the county tax roll. No permit for the moving of any building onto a site within the city limits shall be issued by the building official until the written application has been on file for a minimum period of seven days after filing of such application to allow the building official to give written notice of such application to all property owners within 250 feet of the proposed site.

(Ord. No. 5767-95, § 1, 3-16-95)

Sec. 47.083. Fees.

(1) *Prescribed.* The city will issue any permit(s) required by this Code, once all approvals are granted and all fees as required by Appendix A of this Code are paid. Any amendments to the permit will be released once they are approved and any additional fees due to such amendment as required by Appendix A are paid. **EXCEPTION:** A temporary permit may be issued for projects which do not require plan review such as roof work, water heater, change-out and air conditioning replacement by facsimile. In that event, the applicant has ten calendar days from the date the temporary permit is issued to make the proper payments and receive the regular permit. If the permit is not paid for within ten days of issuance of the temporary permit, the applicant shall pay a triple or ten times fee as described in appendix A of this Code.

(2) *Work commencing before permit issuance.* If any person commences any work on a building, structure, or electrical, plumbing, mechanical or gas system before obtaining the necessary permit, he shall be subject to a penalty as provided in appendix A to this Code.

(3) *Accounting.* The building official shall keep a permanent and accurate accounting of all permit fees and other monies collected, and the names of all persons upon whose account the fees or monies were paid, along with the date and amount thereof.

(4) *Schedule.* On all buildings, structures, and electrical, plumbing, mechanical and gas systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing application or issuing of permits, in accordance with the schedule in appendix A to this Code.

(5) *Building permit valuations.* If, in the opinion of the building official, the valuation of building, alteration, structure, or electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Permit valuations shall include total cost, such as electrical, gas, mechanical, plumbing equipment and other systems, including materials and labor.

(Ord. No. 5767-95, § 1, 3-16-95; Ord. No. 6145-97, § 1, 6-19-97)

Note—Replaces Standard Code Section 104.7.

Sec. 47.084. Demolition fencing.

In connection with demolition of one or more structures on a site with an area of one acre or larger, a continuous see-through fence of six feet in height, shall be required around the perimeter of the site to limit access to only individuals and equipment involved in the demolition work. The fence shall be set back as necessary for adequate visibility for pedestrian and vehicular traffic at street and driveway intersections. A permit is required for this temporary fencing prior to the issuance of a demolition permit. The fence shall

be erected prior to commencement of demolition and shall be removed at the completion of demolition unless otherwise authorized by the city. (Ord. No. 6381-99, § 1, 4-15-99)

ARTICLE V. INSPECTIONS

Sec. 47.111. Required inspections.

The permit holder or his agent shall request a final inspection upon completion of the work, and other inspections as required by the permit, in a timely manner. The building official upon request by the permit holder or his agent shall make the following minimum inspections and such other inspections as may be necessary, and shall either release that portion of the construction or shall notify the permit holder or his agent of any violations which must be corrected in order to comply with the standard codes adopted in this chapter:

(1) *Roof.*

- (a) *Deck.* To be made after the deck is clean, tightly fitted, sound and free of debris.
- (b) *Dry-in inspection.* During the course of applying roofing paper.

of a substantially similar application affecting the same property or any portion thereof:

- a. Nine months for Level Two approvals.
 - b. Twelve months for Level Three approvals.
2. The time periods specified in this subsection shall be deemed to have commenced only after the completion of any administrative or judicial review which may have been sought.
- (Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 6928-02, §§ 94—97, 5-2-02; Ord. No. 6998-02, § 1, 7-18-02; Ord. No. 7106-03, §§ 12—14, 9-18-03; Ord. No. 7449-05, §§ 27—30, 12-15-05; Ord. No. 7616-06, § 2, 5-18-06; Ord. No. 7725-07, § 2, 2-15-07; Ord. No. 7835-07, § 20, 1-17-08; Ord. No. 8042-09, § 4, 6-4-09; Ord. No. 8310-12, § 5, 2-2-12)

Section 4-203. Building permit.

A. Permit required.

1. No person shall commence any construction, demolition, modification or renovation of a building or structure without first obtaining a building permit.
2. No seawall, bulkhead, groin, marine improvement, bridge or other similar marine structure shall be built within the city until the building official has issued a building permit for such work.
3. A building permit shall authorize only the use, arrangement and/or construction described in Level One and Two approvals and no other use, arrangement or construction.
4. Complete engineering and architectural plans for each component of a development project shall be required to be submitted prior to the issuance of a building permit. For any phased project, such plans shall be required for each phase of the development.

B. *Procedure*: All applications for building permits shall be submitted in a form required by this Development Code and the building official. Upon

receipt of an application, including a declaration of unity of title, in accordance with Article 4 Division 16, the building official shall forward a copy to the community development coordinator in order to determine whether the application conforms to an approved Level One or Level Two approval. Upon receipt of the determination of the community development coordinator, the building official shall determine whether the application conforms to all applicable requirements contained in the building code. If the building official determines that the application does conform, the building permit shall be issued. If the building official determines that the application does not conform, he shall identify the application's deficiencies and deny the application.

C. *Appeal*: A denial of a building permit may be appealed in the manner provided in Article 4 Division 5.
(Ord. No. 6526-00, § 1, 6-15-00)

Section 4-204. Occupancy permit.

A. Applicability.

1. A certificate of occupancy shall be required for the following:
 - a. Occupancy and use of land or a building hereafter improved, erected, structurally altered, reconstructed, enlarged or moved.
 - b. Change in occupancy or use of an existing nonresidential building.
 - c. Change in the use of land, building or structure.
2. No occupancy permit shall be issued unless it has been determined that the building or structure and the site complies with the provisions of the Building Code, this Development Code and all prior approvals upon which the building permit was based.

B. Procedure.

1. All applications for occupancy permits shall be submitted in a form required by the building official.
2. In the event a valid building permit is not in effect, upon receipt of an application for

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

08-29-15-04914-000-0420

Compact Property Record Card

[Tax Estimator](#)

**Updated November
28, 2018**

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

[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
CONNELLY, MARJORIE D KINCAID, KEVIN A LEINEWEBER, MARIS A C/O MARGE CONNELLY 368 HIAWATHA DR LAKE IN THE HILLS IL 60156-1421	151 DEVON DR CLEARWATER



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

Total Living: Total Gross Total Living
SF: 2,511 SF: 3,226 Units: 1

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

BAYSIDE SUB LOT 42 & W 1/2 OF LOT 41

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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
19427/0180	\$1,016,700 Sales Query	121030260023	A	23/17

2018 Interim Value Information

Year	Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2018	\$876,456	\$837,147	\$837,147	\$876,456	\$837,147

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

Year

USPS TRACKING #



9590 9402 4283 8190 5475 24

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

PLANNING & DEVELOPMENT SERVICES
CITY OF CLEARWATER

DEC 13 2018

RECEIVED

* Sender: Please print your name, address, and ZIP+4® in this box *

CITY OF CLEARWATER
PLANNING & DEVELOPMENT SERVICES
100 S MYRTLE AVENUE
CLEARWATER, FLORIDA 33756
ATTN: SAM SWINTON
RE: 151 DEVON DR

Notice of Hearing

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:

MARJORIE D CONNELLY
368 HIAWATHA DR.
LAKE IN THE HILLS, IL 60156



9590 9402 4283 8190 5475 24

2. Article Number (Transfer from service label)

70173040000108312423

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Maryanne Plounelle ☒ Agent ☐ Addressee

B. Received by (Printed Name)

Marsorie D Connelly 12-7-18

C. Date of Delivery

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

3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt