

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 18-19**

Certified Mail
January 17, 2019

Owner: **1142 Sunset Point Road LLC
6017 Pine Ridge Rd Unit 209
Naples, FL 34119-3956**

Violation Address: **1142 Sunset Point Rd., Clearwater
Sunset Point A Replat Part of Lot 29 with Lots 1 & 2, Blk G of Sunset Point 2nd Add**

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, February 27, 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 **3-1804, 3-1804.A, & 28.08(1)** of the Clearwater City Code. (See attached Affidavit(s) of Violation).

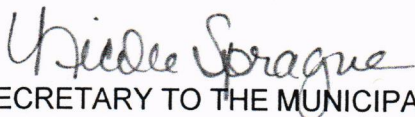
You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent 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: 1142 SUNSET POINT ROAD LLC
MAILING ADDRESS: 6017 PINE RIDGE RD UNIT 209
NAPLES, FL 34119-3956

CITY CASE#: BIZ2018-00558

VIOLATION ADDRESS: 1142 SUNSET POINT RD
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 12/7/2018

LEGAL DESCRIPTION OF PROPERTY: SUNSET POINT AND REPLAT LOT 29 LESS RD AND
SUNSET POINT 2ND ADD BLK G, LOTS 1 & 2 LESS RD LAND USE ALLOWS 38 UNITS

PARCEL #: 03-29-15-88092-000-0290

DATE OF INSPECTION: 1/7/2019 12:12:00 PM

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

3-1804. - ****PROHIBITED SIGNAGE**** Signage exists which is prohibited by the Sign Code.

3-1804.A. ***** FEATHER SIGNS ARE PROHIBITED ***** Feather/flutter signs; wind-activated signs; air-dancer signs; sky-dancer signs.

28.08.(1) ***** PLACEMENT OF CERTAIN STRUCTURES AND MATERIALS PROHIBITED *****
No person shall paint, mark or write on, or post or otherwise affix, any handbill, billboard or sign to or upon any sidewalk; crosswalk; curb; curbstone; street lamppost; hydrant; tree; shrub; tree stake or guard; railroad trestle; electric light, power, telephone or telegraph wire pole or wire appurtenance thereof; fixture of the fire alarm or police telegraph system; any lighting system; public bridge; drinking fountain; street sign or traffic sign; or erect any billboard or sign within the limits of the right-of-way of any road or street or on any sidewalk. Any handbill, billboard or sign found posted or otherwise affixed or erected on or to public property contrary to the provisions of this section may be removed by any city employee duly authorized to do so.

8-102. **DEFINITIONS *** FEATHER SIGNS ***** Sign, feather or flutter sign means a sign extending in a sleeve-like fashion down a telescoping or fixed pole that is mounted in the ground or on a building or stand. A feather sign or flutter sign is usually shaped like a sail or feather, and attached to the pole support on one vertical side.

SPECIFICALLY,

Feather signs are a prohibited style sign within the City of Clearwater city limits and shall not be erected. Along with feather signs being erected no signs shall be erected within the city right-of-ways. If any signs are erected within the city right-of-ways any city employee has the right to remove the signage without permission from the property or business owner. At the property there are multiple feather signs erected in the right-of-way on Sunset Point Rd. The feather signs are red and yellow with white lettering. Compliance can be met by removing all signage from the city right-of-way, refrain from erecting any signage in the right-of-way in the future, remove the feather signs from the property and refrain from erecting any prohibited signs at the property in the future. To avoid fines starting at \$143.00 a day that the violation continues to exist or having this case presented in front of the Municipal Code Enforcement Board please meet compliance by the compliance date. Please note that if compliance is not met by the compliance date the feather signs or any other signs still erected in the right-of-ways will be removed and the property owner will still be subjected to our enforcement actions. 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 9th day of January, 2019, by Daniel Knight.

STATE OF FLORIDA
COUNTY OF PINELLAS

☒ PERSONALLY KNOWN TO ME

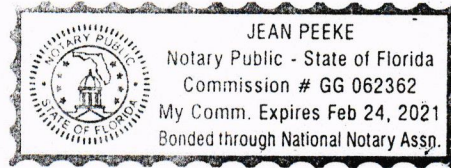
☐ PRODUCED AS IDENTIFICATION

N/A

Type of Identification

Jean Peeke
(Notary Signature)

JEAN PEEKE
Name of Notary (typed, printed, stamped)



FILED THIS 15th DAY OF January, 20 19

MCEB CASE NO. 18-19

Heide 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

1142 SUNSET POINT ROAD LLC
6017 PINE RIDGE RD UNIT 209
NAPLES, FL 34119-3956

BIZ2018-00558

ADDRESS OR LOCATION OF VIOLATION: **1142 SUNSET POINT RD**

LEGAL DESCRIPTION: SUNSET POINT AND REPLAT LOT 29 LESS RD AND
SUNSET POINT 2ND ADD BLK G, LOTS 1 & 2 LESS RD LAND USE ALLOWS 38
UNITS

DATE OF INSPECTION: 12/6/2018

PARCEL: 03-29-15-88092-000-0290

Section of City Code Violated:

3-1804. - **PROHIBITED SIGNAGE** Signage exists which is prohibited by the Sign Code.

3-1804.A. * FEATHER SIGNS ARE PROHIBITED ***** Feather/flutter signs; wind-activated signs; air-dancer signs; sky-dancer signs.

28.08.(1) * PLACEMENT OF CERTAIN STRUCTURES AND MATERIALS PROHIBITED ***** No person shall paint, mark or write on, or post or otherwise affix, any handbill, billboard or sign to or upon any sidewalk; crosswalk; curb; curbstone; street lamp post; hydrant; tree; shrub; tree stake or guard; railroad trestle; electric light, power, telephone or telegraph wire pole or wire appurtenance thereof; fixture of the fire alarm or police telegraph system; any lighting system; public bridge; drinking fountain; street sign or traffic sign; or erect any billboard or sign within the limits of the right-of-way of any road or street or on any sidewalk. Any handbill, billboard or sign found posted or otherwise affixed or erected on or to public property contrary to the provisions of this section may be removed by any city employee duly authorized to do so.

8-102. DEFINITIONS * FEATHER SIGNS ***** Sign, feather or flutter sign means a sign extending in a sleeve-like fashion down a telescoping or fixed pole that is mounted in the ground or on a building or stand. A feather sign or flutter sign is usually shaped like a sail or feather, and attached to the pole support on one vertical side.

Specifically: Feather signs are a prohibited style sign within the City of Clearwater city limits and shall not be erected. Along with feather signs being erected no signs shall be erected within the city right-of-ways. If any signs are erected within the city right-of-ways any city employee has the right to remove the signage without permission from the property or business owner. At the property there are multiple feather signs erected in the right-of-way on Sunset Point Rd. The feather signs are red and yellow with white lettering. Compliance can be met by removing all signage from the city right-of-way, refrain from erecting any signage in the right-of-way in the future, remove the feather signs from the property and refrain from erecting any prohibited signs at the property in the future. To avoid fines starting at \$143.00 a day that the violation continues to exist or having this case presented in front of the Municipal Code Enforcement Board please meet compliance by the compliance date. Please note that if compliance is not met by the compliance date the feather signs or any other signs still erected in the right-of-ways will be removed and the property owner will still be subjected to our enforcement actions. If you have any questions please contact me. Thank you.

NOV_PropOwn



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

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 12/24/2018. 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.

A handwritten signature in black ink, appearing to read "D. Knight", is written over a horizontal line.

Inspector: Daniel Knight
Inspector Phone: 727-562-4732

Date Printed: 12/7/2018

Section 3-1804. - Prohibited signs.

The following types of signs are prohibited:

- A. Feather/flutter signs; wind-activated signs; air-dancer signs; sky-dancer signs.
- B. Bench signs.
- C. Billboards.
- D. Discontinued signs. A discontinued sign and/or sign structure which is determined to be nonconforming with the provisions of this Division 18 shall not be required to be removed if it is brought into conformity with the provisions of this Division 18 within three months after receipt of notification, or refusal to accept delivery of notification by certified mail that removal is required upon failure to bring the structure into conformity.
- E. Electronic changeable message signs unless otherwise allowed herein or those that are existing, legally nonconforming message signs. Legally nonconforming message signs shall only be either those that have general messages that change no more frequently than once every one hour and meet the requirements of this Division 18, or they are signs that only display a change in time and/or temperature no more frequently than once every minute, as necessary to correctly reflect accurate information and not be misleading.
- F. Reserved.
- G. Pavement markings, except street addresses.
- H. Portable signs.
- I. Roof and above roof signs.
- J. Sidewalk signs, except as provided herein.
- K. Signs attached to or painted on piers or seawalls, other than official regulatory or warning signs.
- L. Signs in or upon any river, bay, lake, or other body of water.
- M. Permanent signs located on publicly-owned land or easements or inside street rights-of-way. This prohibition does not apply to government signs or transit shelter signage authorized by law.
- N. Signs that emit sound, vapor, smoke, odor, particles, or gaseous matter.
- O. Signs that have unshielded illuminating devices or which reflect lighting onto public rights-of-way thereby creating a potential traffic or pedestrian hazard.
- P. Signs that move, revolve, twirl, rotate, flash, scintillate, blink, flutter, or appear to display motion in any way whatsoever, including animated signs, multi-prism signs, tri-vision signs, floodlights and beacon lights (except when beacon lights are required by the

Sec. 28.08. - Placement of certain structures and materials prohibited.

- (1) No person shall paint, mark or write on, or post or otherwise affix, any handbill, billboard or sign to or upon any sidewalk; crosswalk; curb; curbstone; street lamppost; hydrant; tree; shrub; tree stake or guard; railroad trestle; electric light, power, telephone or telegraph wire pole or wire appurtenance thereof; fixture of the fire alarm or police telegraph system; any lighting system; public bridge; drinking fountain; street sign or traffic sign; or erect any billboard or sign within the limits of the right-of-way of any road or street or on any sidewalk. Any handbill, billboard or sign found posted or otherwise affixed or erected on or to public property contrary to the provisions of this section may be removed by any city employee duly authorized to do so.
- (2) No person shall erect, place, park or locate any structure, game, vehicle, boat, trailer, display materials, merchandise or similar object within the limits of any public street, road, or highway where prohibited by official sign or traffic control device or on any other public right-of-way adjacent to any such public street, road, or highway unless otherwise permitted by the director of public works. No object or thing described in this subsection may be placed upon any median located within the city, regardless of the posting of any sign or traffic-control device.
- (3) No vehicle which is required by state statutes to be registered and display a registration plate or license tag whenever operated on the public streets or highways shall be operated, parked, or allowed to remain on any public street, road, highway, alley or other vehicular way without having such valid plate or tag legally, legibly and prominently displayed.
- (4) The director of the department of public works shall have the authority to cause each item determined to be in violation of subsection (2) of this section to be removed after first notifying the owner, if the owner can be found. The notice shall be given to the owner or person responsible for the item at least 24 hours before the item is removed. The notice shall provide the section of this Code being violated and shall inform the owner or person responsible to remove the item or show cause prior to the expiration of the 24-hour period why the item should not be removed. Where the owner cannot be found, the director shall post the notice described in this subsection on the item scheduled to be removed at least 36 hours prior to its removal. The term "cause" shall mean a permit or other written permission granted by the city. Where the director removes the item identified in subsection (2) of this section, the owner of such object may recover the object upon paying a removal and storage charge to cover the city's cost, but in any event not less than \$25.00.
- (5) The provisions of subsection (1) of this section shall not apply with respect to any bench containing advertising matter where the city has previously granted written permission to place the advertising matter on such bench.
- (6) The provisions of subsection (2) of this section shall not apply to any vehicle parked on a

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

03-29-15-88092-000-0290

Compact Property Record Card

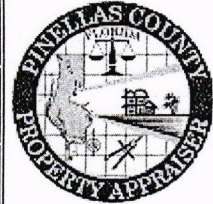
[Tax Estimator](#)

**Updated January 9,
2019**

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[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address (First Building)
1142 SUNSET POINT ROAD LLC 6017 PINE RIDGE RD UNIT 209 NAPLES FL 34119-3956	1142 SUNSET POINT RD CLEARWATER
	Jump to building: (1) 1142 SUNSET POINT RD <input type="checkbox"/>



Property Use: 0311 (Apartments (10 units to 49 units))

Total Living
SF: 22,746

Total Gross
SF: 26,826

Total Living
Units:33

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

SUNSET POINT A REPLAT LOT 29 LESS THAT PART LYING WITHIN 50FT OF S LINE OF NW 1/4 OF SEC FOR RD TOGETHER WITH LOTS 1 & 2, BLK G OF SUNSET POINT 2ND ADD

File for Homestead Exemption			2019 Parcel Use
Exemption	2018	2019	
Homestead:	No	No	Homestead Use Percentage: 0.00%
Government:	No	No	Non-Homestead Use Percentage: 100.00%
Institutional:	No	No	Classified Agricultural: No
Historic:	No	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)	Flood Zone (NOT the same as your evacuation zone)	Plat Book/Page
20021/2572	Sales Query	121030261022	NON EVAC	Compare Preliminary to Current FEMA Maps	4/56

2018 Interim Value Information

Year	Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2018	\$1,830,000	\$1,830,000	\$1,830,000	\$1,830,000	\$1,830,000

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:

1142 Sunset Point Road LLC
6017 Pine Ridge Rd Unit 209
Naples, FL 34119
REF: 1142 Sunset Point Rd.



9590 9402 3761 8032 0148 52

2. Article Number (Transfer from service label)

7018 0360 0001 4779 9543

COMPLETE THIS SECTION ON DELIVERY
A. Signature

X

☐ 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

Danny K

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 (\$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

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

7018 0360 0001 4779 9543