

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 07-21**

Certified Mail
December 18, 2020

**Owner: Clearwater Chestnut Associates LLC
818 Chestnut St
Clearwater, FL 33756-5642**

**Violation Address: 818 Chestnut St.
15-29-15-00108-015-0040**

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, January 27, 2021, 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(s) **4-1002.** of the Clearwater City Code. (See attached Affidavit(s) of Violation).

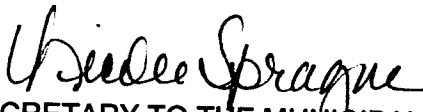
You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent 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 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 refrain from private conversations, cellular phone use, etc. that distract meeting participants.

Any party may appeal a final order of this Board by filing an appeal with the Circuit Court within 30 days of entry of the order. Appellants need a record of proceedings; a verbatim record of testimony and evidence that is the basis for the appeal may be required. F.S. § 286.0105, CDC Sec 7-104

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA
AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

NAME OF VIOLATOR: CLEARWATER CHESTNUT ASSOCIATES LLC
MAILING ADDRESS: 818 CHESTNUT ST
CLEARWATER, FL 33756-5642
CITY CASE#: BIZ2020-00308
VIOLATION ADDRESS: 818 CHESTNUT ST
CLEARWATER, FL
DATE OF OFFICIAL NOTICE OF VIOLATION: 8/11/2020
LEGAL DESCRIPTION OF PROPERTY: AIKEN SUB BLK 15, LOTS 4,5 AND 6
PARCEL #: 15-29-15-00108-015-0040
DATE OF INSPECTION: 12/3/2020 12:36:00 PM

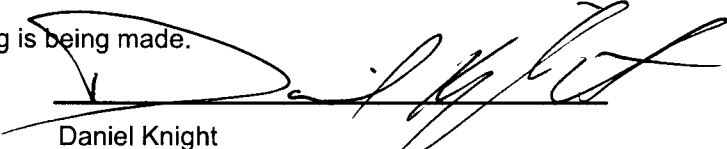
SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE
SECTION VIOLATED

4-1002. - **SIGNAGE WITHOUT PERMITS** Signage has been located, placed, erected, constructed, altered or extended without a permit.

SPECIFICALLY,

All permanent signage erected within the city limits of Clearwater shall obtain a permit before being erected. At the property "Clearwater Primary Care & Aesthetics" has erected a very large sign without first obtaining a permit. The sign is advertising for the business near Chestnut St. Compliance can be met by either obtaining a permit to allow the sign to remain erected at the property or by removing the sign until a permit can be obtained. Please meet compliance by the compliance date and contact me with any questions. My email address is: Daniel.Knight@myclearwater.com and my office number is: 727-562-4732. Thank you and be safe and well.

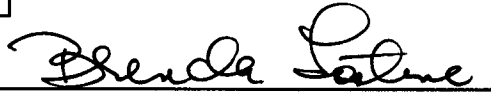
A violation exists and a request for hearing is being made.


Daniel Knight

SWORN AND SUBSCRIBED before me by means of x physical presence or _____ online notarization on this 3rd day of December, by Daniel Knight.

STATE OF FLORIDA
COUNTY OF PINELLAS

☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION


(Notary Signature)

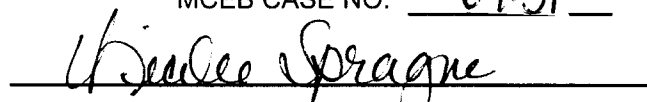
Type of Identification



Name of Notary (typed, printed, stamped)

FILED THIS 16th DAY OF December, 2020

MCEB CASE NO. 07-01


Affidavit_Violation

5. Multi-modal impact fees collected on the state road network within the city may be made available for construction of improvements on the state road network within the city.
6. Multi-modal impact fee funds shall be administered as an independent component of the capital improvement element of the Clearwater Comprehensive Plan, as required by F.S. Chapter 163. Each fiscal year, the city manager or his or her designee shall present to city council the district improvement programs for transportation expenditures. These programs shall assign transportation improvement costs and related expenses to the trust account for specific transportation improvement projects. Monies, including any accrued interest not assigned in any fiscal year, shall be retained in the same impact fee trust account until the next fiscal year, except as provided by the refund provisions of this section. The city shall retain four percent of the fees collected for administrative costs.

G. Refund of fee paid. Any funds not expended or encumbered by the end of the calendar quarter immediately following ten years from the date that the multi-modal impact fee was paid, upon application of the fee payer, within 180 days of that date, be returned to the fee payer with interest at a yearly rate to be determined by the Consumer Price Index effective January 1, which is to be applied to the preceding year for each year the deposit is held.

H. Exemptions. The following shall be exempted from payment of the multi-modal impact fee:

1. Alteration or expansion of an existing building where no additional units or floor area are created, use is not changed, and where no additional vehicular trips will be produced over and above that produced by the existing use;
2. The construction of accessory buildings or structures which will not produce

additional vehicular trips over and above that produced by the principal building or use of the land;

3. The replacement of a building or structure with a new building or structure of the same use provided that no additional trips will be produced over and above those produced by the original building or structure; and
4. The construction of publicly-owned facilities used primarily for traditional government uses.

(Ord. No. 8806-16, § 8, 5-5-16)

DIVISION 10. SIGN PERMIT

Section 4-1001. Purpose.

It is the purpose of this division to establish procedures for the review and approval of signs, and signs as part of a Comprehensive Sign Program, in accordance with the standards of Article 3, Division 18.

(Ord. No. 7835-07, § 25, 1-17-08)

Editor's note—Pursuant to § 34 of Ord. No. 7835-07, the provisions of this section shall take effect March 1, 2008.

Section 4-1002. Permit required.

No sign shall be located, placed, erected, constructed, altered or extended without first obtaining a sign permit, except for signs listed in Section 3-1806.

(Ord. No. 8654-15, § 27, 2-5-15)

Section 4-1003. Application.

In addition to the basic information required by Section 4-202(A), where applicable, and the fee required by Section 4-202(E), an application for approval of a sign shall be treated as a Level One approval in accordance with the provision of Article 4, Division 3 and shall be accompanied by plans and specifications, drawn to scale and including the following:

- A. Legal description of the property where the sign is proposed to be located;
- B. Name, address and telephone number of the owner of the property where the sign is proposed to be located;



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

CLEARWATER CHESTNUT ASSOCIATES LLC
818 CHESTNUT ST
CLEARWATER, FL 33756-5642

BIZ2020-00308

ADDRESS OR LOCATION OF VIOLATION: **818 CHESTNUT ST**

LEGAL DESCRIPTION: AIKEN SUB BLK 15, LOTS 4,5 AND 6

DATE OF INSPECTION: 8/7/2020

PARCEL: 15-29-15-00108-015-0040

Section of City Code Violated:

4-1002. - ****SIGNAGE WITHOUT PERMITS**** Signage has been located, placed, erected, constructed, altered or extended without a permit.

Specifically: All permanent signage erected within the city limits of Clearwater shall obtain a permit before being erected. At the property "Clearwater Primary Care & Aesthetics" has erected a very large sign without first obtaining a permit. The sign is advertising for the business near Chestnut St. Compliance can be met by either obtaining a permit to allow the sign to remain erected at the property or by removing the sign until a permit can be obtained. Please meet compliance by the compliance date and contact me with any questions. My email address is: Daniel.Knight@myclearwater.com and my office number is: 727-562-4732. Thank you and be safe and well.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 9/14/2020. 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: 8/11/2020

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

15-29-15-00108-015-0040

Compact Property Record Card

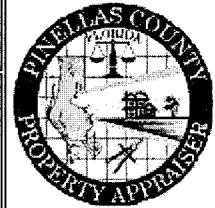
[Tax Estimator](#)

**Updated December
3, 2020**

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

[FEMA/WLM](#)

| Ownership/Mailing Address <u>Change</u> Mailing Address | Site Address |
|--|-------------------------------|
| CLEARWATER CHESTNUT ASSOCIATES LLC 818 CHESTNUT ST CLEARWATER FL 33756-5642 | 818 CHESTNUT ST CLEARWATER |



Property Use: 1933 (Medical Office Building - single & multi-story) Current Tax District: CLEARWATER DOWNTOWN (CWD) Total Heated SF: 2,296 Total Gross SF: 2,317

[click here to hide] **Legal Description**
AIKEN SUB BLK 15, LOTS 4,5 AND 6

| File for Homestead Exemption | | | 2021 Parcel Use | |
|-------------------------------------|-------------|-------------|---------------------------------------|--|
| Exemption | 2020 | 2021 | | |
| 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 | <u>Sales Comparison</u> | <u>Census Tract</u> | Evacuation Zone (NOT the same as a FEMA Flood Zone) | Flood Zone (NOT the same as your evacuation zone) | Plat Book/Page |
|------------------------------|--------------------------------|----------------------------|--|--|-----------------------|
| 14969/1827 | Sales Query | 121030259005 | NON EVAC | Compare Preliminary to Current FEMA Maps | 14/45 |

2020 Interim Value Information

| Year | <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> |
|------|--------------------------|------------------------------------|-----------------------------|-----------------------------|--------------------------------|
| 2020 | \$195,000 | \$195,000 | \$195,000 | \$195,000 | \$195,000 |

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

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 \$

Postmark
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

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:

Clearwater Chestnut Associates LLC
 818 Chestnut St.
 Clearwater, FL 33756



9590 9402 4606 8323 0897 99

REF: 822 2070-00308

2. Article Number (Transfer from service label)

7019 2970 0001 6148 1725

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

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

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

Domestic Return Receipt

ALERT: STAY UPDATED ON POST OFFICE CLOSURES AND SERVICE DISRUPTIONS...

USPS Tracking®

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Track Another Package +

Tracking Number: 70192970000161481725

Remove X

Your item has been delivered to an agent for final delivery in CLEARWATER, FL 33756 on August 19, 2020 at 11:25 am.

✓ Delivered to Agent

August 19, 2020 at 11:25 am
Delivered to Agent for Final Delivery
CLEARWATER, FL 33756

Get Updates ✓

Feedback

Text & Email Updates



Tracking History



August 19, 2020, 11:25 am

Delivered to Agent for Final Delivery
CLEARWATER, FL 33756

Your item has been delivered to an agent for final delivery in CLEARWATER, FL 33756 on August 19, 2020 at 11:25 am.