

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 107-20**

Certified Mail

December 23, 2020

Owner: **Douglas E Fischer**
1955 Calumet St.
Clearwater, FL 33765-1108

Violation Address: **10 N Aurora Ave., Clearwater**
13-29-15-82494-010-0090

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 your ongoing violation of Section(s) **3-1052.D.1, 3-1502.D.3, 3-1052.D.5, 3-1052.G.1, 3-1052.G.2, 3-1052.G.3, & 3-916.C** of the Clearwater City Code. You previously were found to have violated the Clearwater City Code and, to date, you have failed to correct the violation(s) within the time set for compliance by Order of the Municipal Code Enforcement Board. (See attached Affidavit of Non-Compliance)

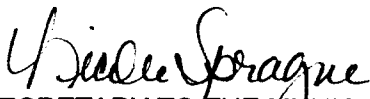
You may appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent you before the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

The case shall be presented to the Board even if the violation(s) described in the Affidavit of Non-Compliance is/are corrected prior to the Board hearing.

If the Municipal Code Enforcement Board finds you did not correct the violation(s) by the date set for compliance in the Board's Order, the Board has the power by law to levy fines against you and your property for each day each violation continues beyond the compliance date and may do so at the hearing.

If you wish to have 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 violation or if the violation is corrected prior to the hearing, please contact the Inspector whose name appears on the Affidavit of Non-Compliance.

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 NON - COMPLIANCE

City of Clearwater, Florida

Petitioner

vs.

DOUGLAS E FISCHER
1955 CALUMET ST
CLEARWATER, FL 33765-1108

Respondent

MCEB Case Number: 107-20

City Case Number: CDC2020-00713

RECEIVED

DEC 07 2020

OFFICIAL RECORDS AND
LEGISLATIVE SRVCS DEPT.

Re: 10 N AURORA AVE


I, Daniel Kasman, have personally examined the property described in the Municipal Code Enforcement Board Order dated November 18, 2020 in the above mentioned case, and find that as of December 7, 2020 said property is NOT in compliance with

3-1502.D.1. - ****ROOF MAINTENANCE**** All roofs shall be maintained in a safe, secure and watertight condition.

3-1502.D.3. - ****Clean Roof**** Roofs shall be maintained in a clean, mildew-free condition and kept free of trash, loose shingles and debris or any other element, including grass or weeds, which is not a permanent part of the building or a functional element of its mechanical or electrical system.

3-1502.D.5. - ****False Roof Elements**** Any false roof, mansard or similar roof element or other auxiliary structure on the roof shall be finished and maintained in a condition comparable to and compatible with the exterior side of the building wall to which the roof element abuts.

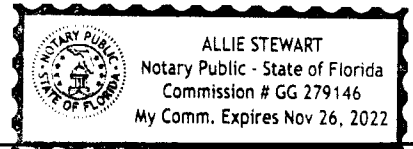
This shall result in a fine to run daily until the violator notifies the Code Compliance Division. After notification from the violator, the inspector will complete an inspection to determine compliance and the fine shall cease upon the date of the inspection in which compliance is achieved.


Daniel Kasman

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of ☒ physical presence or ☐ online notarization on this 7th day of December, 2020, by Daniel Kasman.

- ☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION



Type of Identification



(Notary Signature)



Name of Notary (typed, printed, stamped)

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF NON - COMPLIANCE

City of Clearwater, Florida

Petitioner

vs.

DOUGLAS E FISCHER
1955 CALUMET ST
CLEARWATER, FL 33765-1108
Respondent

MCEB Case Number: 107-20

City Case Number: CDC2020-00712

RECEIVED

DEC 07 2020

OFFICIAL RECORDS AND
LEGISLATIVE SRVCS DEPT.

Re: 10 N AURORA AVE

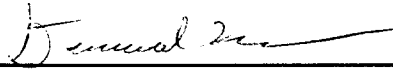
I, Daniel Kasman, have personally examined the property described in the Municipal Code Enforcement Board Order dated November 18, 2020 in the above mentioned case, and find that as of November 19, 2020 said property is NOT in compliance with

3-1502.G.1. - ****EXTERIOR STORAGE**** As provided in Section 3-913 of this Development Code, outdoor storage is prohibited. For the purposes of this section, carports are subject to the outdoor storage provisions.

3-1502.G.2. - ****Exterior Storage/Not For Use Outdoors**** Equipment, materials or furnishings not designed for use outdoors, such as automobile parts and tires, building materials and interior furniture, may not be stored outdoors.

3-1502.G.3 - ****CONSTRUCTION MATERIAL STORAGE**** Construction materials, unless such materials are related to an active building permit related to the property on which the materials are located, may not be stored outdoors on a residentially zoned property.

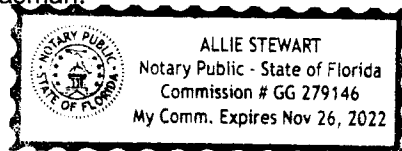
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Daniel Kasman

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COUNTY OF PINELLAS

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Name of Notary (typed, printed, stamped)

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF NON - COMPLIANCE

City of Clearwater, Florida

Petitioner

MCEB Case Number: 107-20

City Case Number: CDC2020-00714

vs.

DOUGLAS E FISCHER
1955 CALUMET ST
CLEARWATER, FL 33765-1108
Respondent

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DEC 07 2020

Re: 10 N AURORA AVE

OFFICIAL RECORDS AND
LEGISLATIVE SRVCS DEPT.

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3-916.C. - **VEHICLE REPAIR-RESIDENTIAL ZONE** No repair of any vehicle is permitted in any residential zoning district unless such repair is confined within a completely enclosed building and limited to vehicle service involving vehicles owned by a person who resides at that residence. Under no circumstance shall such repair be conducted as a commercial activity.

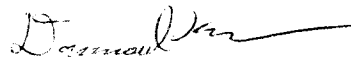
8-102 - **Vehicle Definitions**Vehicle means any automobile, motorcycle, truck, motorized van, recreation vehicle, bicycle, or any other device on or in which any person or property is or may be transported upon a highway, except devices used exclusively on stationary rails or tracks. Parking lot means an unenclosed area reserved for the temporary storage of motor vehicles.

Parking space means a surfaced area, exclusive of driveways, reserved for the temporary storage of one motor vehicle and connected with a street or alley by a driveway.

Marina facilities means a use of land involved in the operation of a marina including structures and activities normally integral to the operation of a marina, such as servicing, fueling, pumping-out, chartering, launching, and dry-storage of boats and boating equipment.

Vehicle sales/displays means a business or commercial activity involving the display and/or sale or rental of automobiles, small trucks and vans, boats no more than 20 feet in length and other small vehicular or transport mechanisms and including vehicle service.

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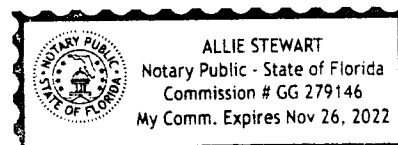


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COUNTY OF PINELLAS

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☐ PRODUCED AS IDENTIFICATION



Allie Stewart

Type of Identification

(Notary Signature)
Allie Stewart

Name of Notary (typed, printed, stamped)

