

**ORDER**  
**MUNICIPAL CODE ENFORCEMENT BOARD OF THE**  
**CITY OF CLEARWATER, FLORIDA**  
**Case 29-16**

**CITY OF CLEARWATER,**  
**Petitioner,**  
**vs.**  
**Gilbert G Jannelli**  
**909 S Fort Harrison Ave.**  
**Clearwater, FL 33756-3903**

)  
)  
) **Violation address:**  
) **1343 Cleveland St., Clearwater**  
) **aka Overbrook Blk 3, Lots 7 Thru 14 Incl.**  
)

**Respondent(s)**

This case came before the City of Clearwater Municipal Code Enforcement Board on April 27, 2016, after due notice to the Respondent(s), and having heard testimony under oath and received evidence, the Board issues the following Findings of Fact, Conclusions of Law, and Order:

**FINDINGS OF FACT**

Based upon the testimony and evidence received, **it is evident that 4 violations exist:** exterior surfaces, roof maintenance, accumulation of debris, and fences and walls. The Respondent was present.

**CONCLUSIONS OF LAW**

The Respondent is in violation the City of Clearwater Code Sections **3-803.A, 3-808, 3-808.A.1, 3-808.A.4, 3-808.A.2, 3-808.A.3, 3-808.A.5, 3-808.A.6, 3-1503.B.7, 3-1502.D.1, 3-1502.D.3, 3-1502.D.4, 3-1502.D.5, & 3-1502.B**, as referred to in the Affidavit in this case.

**ORDER**

It is the Order of the Board that the Respondent shall remove visible mildew from exterior surfaces, pressure spray and paint exterior surfaces, remove and replace rotted wood, remove all mold and peeling paint from the roof and repaint the roof, remove all trash and debris and maintain the property on a regular basis, and remove and replace all rotted and or/broken fence slats and sections of the wood and chain link fences to comply with said Sections of the Code by the deadline, May 27, 2016. The fine is \$250.00 per day per violation for each and every day each violation continues past the date set for compliance.

**Upon complying with said Sections of the Code, the Respondent shall notify Inspector Vicki Fletcher**, who shall inspect the property and notify the Board of compliance. If the Respondent fails to comply within the time specified, a certified copy of the Order imposing the fine may be recorded in the Public Records of Pinellas County, Florida, and once recorded shall constitute a lien against any real property owned by the Respondent, pursuant to Chapter 162, Florida Statutes.

The Respondent may request a rehearing of the decision of the Board, in writing, and delivered to the City Clerk within 10 days of the postmark of the written order. A request for rehearing shall be based only on the ground that the decision was contrary to the evidence or that the hearing involved an error on a ruling of law which was fundamental to the board's decision. The written request for rehearing shall specify the precise reasons therefor. Upon receipt of a request for rehearing, the Board shall determine whether or not to rehear the matter; the Board will not hear oral argument or evidence when making this decision.

Any aggrieved party may appeal a final Order of the Municipal Code Enforcement Board by commencing appropriate proceedings in the Circuit Court of Pinellas County within 30 days of the Order. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Municipal Code Enforcement Board. Florida Statute 286.0105 requires any party appealing a decision of this Board to have a record of the Board's proceedings.

**DONE AND ORDERED** this 27th day of April 2016, at Clearwater, Pinellas County, Florida.

Attest:

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

\_\_\_\_\_  
Nicole Sprague  
Secretary to the Board

\_\_\_\_\_  
Wayne Carothers, Chair  
Date signed: \_\_\_\_\_

Sent by certified mail, with return receipt requested, to the Respondent(s) this \_\_\_\_\_ day of May 2016.

\_\_\_\_\_  
Nicole Sprague  
Secretary to the Board

cc: Joel Treuhaft, 2274 State Rd. 580, Clearwater, FL 33763

**PLEASE RETURN TO:  
CITY OF CLEARWATER  
OFFICIAL RECORDS & LEGISLATIVE SERVICES  
P.O. BOX 4748  
CLEARWATER, FL 33758-4748**