

NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 42-21

Certified Mail
March 19, 2021

Owner: **De Santis Family Trust**
Pasquale De Santis Tre
Carmela De Santis Tre
1519 Gulf to Bay Blvd
Clearwater, FL 33755-6315

Violation Address: **1515 Gulf to Bay Blvd**
14-29-15-22770-000-0030

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, April 28, 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) **3-1502.I & 3-1805.Q.2** 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: DE SANTIS FAMILY TRUST
MAILING ADDRESS: DE SANTIS, PASQUALE TRE
DE SANTIS, CARMELA TRE
1519 GULF TO BAY BLVD
CLEARWATER, FL 33755-6315

CITY CASE#: BIZ2020-00488

VIOLATION ADDRESS: 1515 GULF TO BAY BLVD
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 12/10/2020

LEGAL DESCRIPTION OF PROPERTY: DRUID HILLS LOT 3

PARCEL #: 14-29-15-22770-000-0030

DATE OF INSPECTION: 3/2/2021 12:45:00 PM

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

3-1502.I. - **SIGN MAINTENANCE** * All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling or fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired, painted or replaced.

3-1805.Q.2. ** MAINTENANCE OF SIGNS ** A sign shall be maintained in a state of good repair.

SPECIFICALLY,

All signs shall be maintained in a good condition free of any damage, rust, discoloration, fading and/or peeling paint and must have face panels. On the northwestern corner of this vacant property (with a parking lot) there is a freestanding sign that is in need of maintenance. The sign has rusted elements on the sign structure and has damaged and missing face panels. Compliance can be met by repairing and/or replacing the sign so that it is in a good condition, free of any damage, rust, discoloration, fading and/or peeling paint and has face panels. Please note that to meet compliance for this sign maintenance violation the face panels can be blank. Compliance can also be met by removing the sign from the property. Please meet compliance by the compliance date and contact me with any questions or if it is determined that more time is required to meet compliance. 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.

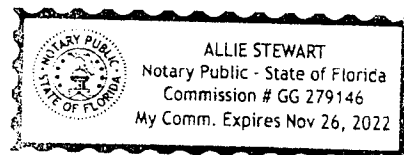

Daniel Knight

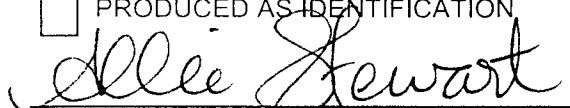
SWORN AND SUBSCRIBED before me by means of ☒ physical presence or ☐ online notarization on this 2nd day of March, by Daniel Knight.

STATE OF FLORIDA
COUNTY OF PINELLAS

☒ PERSONALLY KNOWN TO ME

☐ PRODUCED AS IDENTIFICATION





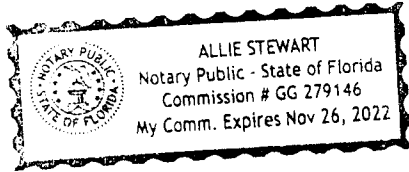
Type of Identification

(Notary Signature)

Allie Stewart

Name of Notary (typed, printed, stamped)

FILED THIS 2nd DAY OF March, 2021



MCEB CASE NO. 42-21

Whitlee Sprague

Secretary, Municipal Code Enforcement Board

discourage the accumulation of trash or debris and/or infestation by pests.

4. No yard, landscape area or growth of landscape material shall encroach upon the public right-of-way so as to hinder safe and convenient vehicular or pedestrian movement in the public right-of-way.
 5. No yard shall be used for dumping or accumulation of any garbage, rubbish, dead animals, trash, waste vegetable or animal matter of any kind or construction debris.
- I. *Signs.* All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling or fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired, painted or replaced.
- J. *Vacant parcels.*
1. Vacant parcels of land shall be properly maintained consistent with section 3-1502 H and be free of weeds, litter, rubble or debris.
 2. Erosion and sedimentation mitigation measures may be required if it is determined that runoff from a vacant parcel causes harm to adjacent property, city drainage systems or navigable waters which receive the runoff.
 3. No temporary or permanent storage of materials or equipment shall be allowed on any vacant parcel except in compliance with the regulations for the use of such property as set forth under Article 2 and Article 3 Division 9 of this Development Code.
- K. *Public rights-of-way and sidewalks and parking surfaces.*
1. Public rights-of-way and sidewalks adjoining an improved parcel of land which, because of its location and character, is used as if it were appurtenant to or an extension of the parcel of land, shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep such rights-of-way and sidewalks clear of litter, trash, debris, equipment, weeds, trees, shrubs and other vegetation and refuse and provide a height clearance of at least eight feet from the sidewalk pavement measured vertically from the pavement surface, unless an exception has been granted by the urban forester for protected trees. All unpaved areas shall be landscaped with grass or other ground cover and such areas shall be regularly mowed or otherwise maintained in a neat and attractive condition.
 2. No person shall erect, place or locate any structure, display materials, merchandise, or similar objects within the limits of any street right-of-way unless specifically permitted pursuant to the provisions of this Development Code.
 3. No trash receptacles, newspaper racks or other dispensing machines shall be located in a public right-of-way unless specifically authorized by the city and other applicable agencies.
 4. Parking lot and driveway surfaces shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep such surface free of pot holes, litter, trash, debris, equipment, weeds, dead vegetation and refuse and shall promptly repair cracked or heaved parking lot surfaces.
 5. All sidewalks located on private property shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep sidewalks clear of litter, trash, debris, equipment, weeds, dead vegetation and refuse. Sidewalks that are cracked, heaved or otherwise unsafe for pedestrians shall be promptly replaced.
- L. *Maintenance of seawalls.* All seawalls shall be maintained in structurally sound condition and shall comply with applicable building and coastal construction codes.

- L. *Onsite traffic control signs.* Onsite traffic control signs of no more than four square feet of sign face area per sign. Non-traffic control symbols do not exceed 25 percent of the sign face area.
- M. *Parking space signs.* Signs identifying parking space numbers provided that such signs are painted on the paved surface of each space or do not exceed one-half square foot of sign face area per sign.
- N. *Marina signs.*
 - 1. Signs at a marina for slip numbers provided that such signs are painted on the dock in front of each slip or do not exceed one square foot of sign face area per sign. Each individual charter/commercial vessel slip located at a commercial marina may have one sign placed in the vicinity of the slip that does not exceed six square feet in total sign face area, and one additional sign of not more than eight square feet in total sign face area placed in the vicinity of the slip. No sign permit is required.
 - 2. Unless otherwise approved by the community development coordinator, two signs, not to exceed six square feet in total sign face area and not to exceed six feet in height may be displayed at any marina in coordination with the city for way finding and shall be considered a government sign. The community development coordinator may approve additional signs as necessary for pedestrian and vehicular traffic based on the following criteria: overall size of marina, number of pedestrian and vehicular access points, visibility of the site, intended and existing traffic circulation and consistency with Beach by Design, Clearwater Downtown Redevelopment Plan or any other applicable special area plan.
- O. *Window signs.* Window signs may be located on any window area provided such sign or combination of signs does not exceed 25 percent of the total window area on any façade. All signs located inside an enclosed area for purposes of advertising shall be construed to be window signs. In no case shall the cumulative area of all window signs on any façade exceed 50 square feet. No sign permit is required.
- P. *Safety and warning signs.* Safety or warning signs which do not exceed six square feet of total sign face area per sign are allowed on any parcel. No sign permit is required.
- Q. *Maintenance of sign location and sign.*
 - 1. Weeds and grass shall be kept cut in front of, behind, underneath, and from around the base of the sign for a minimum distance of ten feet from the sign base, and there shall be no rubbish or debris within ten feet of the sign base or underneath the sign.
 - 2. A sign shall be maintained in a state of good repair.

(Ord. No. 9029-17, § 2(Exh. A), 7-20-17)

Editor's note— Ord. No. 9029-17, § 2(Exh. A), adopted July 20, 2017, repealed the former § 3-1805, and enacted a new § 3-1805 as set out herein. The former § 3-1805 pertained to general standards and derived from Ord. No. 8343-12, § 2(Exh. 1), adopted Aug. 16, 2012; Ord. No. 8715-15, § 16, adopted June 18, 2015.



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

DE SANTIS FAMILY TRUST
DE SANTIS, PASQUALE TRE
DE SANTIS, CARMELA TRE
1519 GULF TO BAY BLVD
CLEARWATER, FL 33755-6315

BIZ2020-00488

ADDRESS OR LOCATION OF VIOLATION: **1515 GULF TO BAY BLVD**

LEGAL DESCRIPTION: DRUID HILLS LOT 3

DATE OF INSPECTION: 12/10/2020

PARCEL: 14-29-15-22770-000-0030

Section of City Code Violated:

3-1502.I. - ****SIGN MAINTENANCE**** * All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling or fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired, painted or replaced.

3-1805.Q.2. **** MAINTENANCE OF SIGNS **** A sign shall be maintained in a state of good repair.

Specifically: All signs shall be maintained in a good condition free of any damage, rust, discoloration, fading and/or peeling paint and must have face panels. On the northwestern corner of this vacant property (with a parking lot) there is a freestanding sign that is in need of maintenance. The sign has rusted elements on the sign structure and has damaged and missing face panels. Compliance can be met by repairing and/or replacing the sign so that it is in a good condition, free of any damage, rust, discoloration, fading and/or peeling paint and has face panels. Please note that to meet compliance for this sign maintenance violation the face panels can be blank. Compliance can also be met by removing the sign from the property. Please meet compliance by the compliance date and contact me with any questions or if it is determined that more time is required to meet compliance. 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 1/11/2021. 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: 12/10/2020

NOV_PropOwn

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

14-29-15-22770-000-0030

Compact Property Record Card

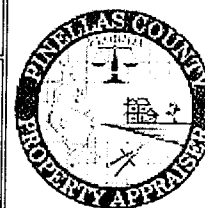
[Tax Estimator](#)

**Updated February
27, 2021**

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

[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
DE SANTIS FAMILY TRUST DE SANTIS, PASQUALE TRE DE SANTIS, CARMELA TRE 1519 GULF TO BAY BLVD CLEARWATER FL 33755-6315	1519 GULF TO BAY BLVD CLEARWATER



Property Use: 1090 (Vacant Commercial Land w/XFSB) Current Tax District: CLEARWATER (CW) Total Heated SF: Total Gross SF:

[click here to hide] **Legal Description**
DRUID HILLS LOT 3

File for Homestead Exemption			2021 Parcel Use	
Exemption	2021	2022		
Homestead:	No	No		
Government:	No	No	Homestead Use Percentage: 0.00%	
Institutional:	No	No	Non-Homestead Use Percentage: 100.00%	
Historic:	No	No	Classified Agricultural: 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
18421/1244		121030265005	NON EVAC	Compare Preliminary to Current FEMA Maps	10/52

2020 Interim Value Information

Year	Just Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2020	\$148,125	\$148,125	\$148,125	\$148,125	\$148,125

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

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 \$ _____

Sort # _____

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 THIS SECTION ON DELIVERY																
<p><input checked="" type="checkbox"/> Complete items 1, 2, and 3.</p> <p><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or to the front if space permits.</p> <p>1. Article Addressed to:</p> <p>De Santos Family Trust De Santos Regulate Tree De Santos, a Florida Tree 1519 Gulf to Bay Blvd Clearwater, FL 33755</p> <p style="text-align: center;"></p> <p style="text-align: center;">9590 9402 5668 9308 0318 30</p> <p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7019 2970 0001 6083 2740</p>	<p>A. Signature</p> <p><input checked="" type="checkbox"/> <i>Jani Pixley</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>Jani Pixley</i> <i>12/15/20</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input 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)	
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<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)																	

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

Domestic Return Receipt