

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 68-21**

Certified Mail
May 14, 2021

Owner: **Ruth B Marks Tre**
C/O Dunkin Brands PC#300740
Attn Property Tax Mailstop 3WB
PO BOX 9141
Canton, MA 02021-9141

Violation Address: **600 S Missouri Ave, Clearwater**
15-29-15-92664-000-0070

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, June 23, 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).

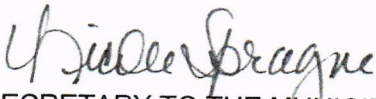
You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent 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: MARKS, RUTH B TRE
MAILING ADDRESS: C/O DUNKIN BRANDS PC#300740
ATTN PROPERTY TAX MAILSTOP 3WB
PO BOX 9141
CANTON, MA 02021-9141

CITY CASE#: BIZ2021-00063

VIOLATION ADDRESS: 600 S MISSOURI AVE
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 2/26/2021

LEGAL DESCRIPTION OF PROPERTY: TURNER STREET GROVES LOTS 6 THRU 12 INCLUSIVE
TOGETHER WITH VAC 15FT ALLEY ADJ ON E TO LOT 11 & ADJ ON W TO LOTS 6 THRU 10
INCLUSIVE LESS E 20FT OF LOTS 7 THRU 10 FOR RD R/W PER DEED BOOK 1360 PG 361

PARCEL #: 15-29-15-92664-000-0070

DATE OF INSPECTION: 5/5/2021 9:34:00 AM

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 erected within the city limits of Clearwater shall be maintained in a good condition free of any damage, rust, discoloration, fading and/or peeling paint or other elements. The freestanding monument sign located on the northeast corner of the property is in need of maintenance. The sign has faded and peeling lettering. Compliance can be met by either 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 or other elements, or by removing the sign from the property. 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..

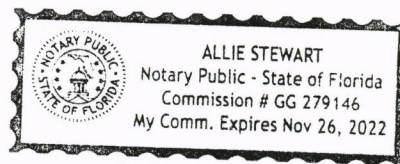
A violation exists and a request for hearing is being made.


Daniel Knight

SWORN AND SUBSCRIBED before me by means of ☒ physical presence or _____ online
notarization on this 6th day of May, 2021, by Daniel Knight.

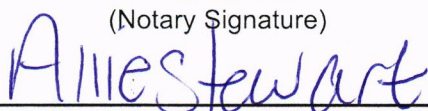
STATE OF FLORIDA
COUNTY OF PINELLAS

- ☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION




Type of Identification

(Notary Signature)



Name of Notary (typed, printed, stamped)

FILED THIS 6th DAY OF May, 20 21

MCEB CASE NO. 68-21

Uindie 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

MARKS, RUTH B TRE
C/O DUNKIN BRANDS PC#300740
ATTN PROPERTY TAX MAILSTOP 3WB
PO BOX 9141
CANTON, MA 02021-9141

BIZ2021-00063

ADDRESS OR LOCATION OF VIOLATION: **600 S MISSOURI AVE**

LEGAL DESCRIPTION: TURNER STREET GROVES LOTS 6 THRU 12 INCLUSIVE
TOGETHER WITH VAC 15FT ALLEY ADJ ON E TO LOT 11 & ADJ ON W TO LOTS
6 THRU 10 INCLUSIVE LESS E 20FT OF LOTS 7 THRU 10 FOR RD R/W PER
DEED BOOK 1360 PG 361

DATE OF INSPECTION: 2/25/2021

PARCEL: 15-29-15-92664-000-0070

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 erected within the city limits of Clearwater shall be maintained in a good condition free of any damage, rust, discoloration, fading and/or peeling paint or other elements. The freestanding monument sign located on the northeast corner of the property is in need of maintenance. The sign has faded and peeling lettering. Compliance can be met by either 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 or other elements, or by removing the sign from the property. 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 4/1/2021. 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: 2/26/2021

CC: 600 S Missouri Ave

NOV_PropOwn

- 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 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 feet 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.

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

15-29-15-92664-000-0070

Compact Property Record Card

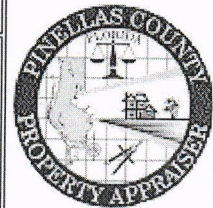
[Tax Estimator](#)

**Updated May 6,
2021**

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

[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
MARKS, RUTH B TRE C/O DUNKIN BRANDS PC#300740 ATTN PROPERTY TAX MAILSTOP 3WB PO BOX 9141 CANTON MA 02021-9141	600 S MISSOURI AVE CLEARWATER



[Property Use:](#) 2226 (Fast Food Restaurant) [Current Tax District:](#) CLEARWATER (CW) [Total Heated SF:](#) 2,080 [Total Gross SF:](#) 2,100

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

TURNER STREET GROVES LOTS 6 THRU 12 INCLUSIVE TOGETHER WITH VAC 15FT ALLEY ADJ ON E TO LOT 11 & ADJ ON W TO LOTS 6 THRU 10 INCLUSIVE LESS E 20FT OF LOTS 7 THRU 10 FOR RD R/W PER DEED BOOK 1360 PG 361 & LESS THAT PART OF LOT 6 DESC FROM NE COR LOT 6 TH S ALG W R/W MISSOURI AVE TO SE COR LOT 6 TH W 20FT TH N12D13'22"W 18.52FT TH N52D19'13"W 20.81FT TH E 40FT(S) TO POB PER O.R.'S 14/357, 2455/666 & 16651/ 2511 & DEED BOOK 1360/361

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
09282/0107	Sales Query	121030259011	NON EVAC	Compare Preliminary to Current FEMA Maps	15/91

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 Domestic Mail Only

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

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

7019 2970 0001 6148 5877

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>Marks, Ruth B Tre C/O Dunkin Brands PC # 300740 ATTN Property Tax Mailstop 3WB P.O. Box 9141 Canton, MA 02021</p> <p>9590 9402 5667 9308 6367 39</p> <p>REF: 81000 S. Missouri Ave</p> <p>2. Article Number (Transfer from service label)</p> <p>7019 2970 0001 6148 5877</p>	<p>A. Signature X <u>[Signature]</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>[Signature]</u></p> <p>C. Date of Delivery <u>3/14/21</u></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 border="0"> <tr> <td> <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Registered Mail <input type="checkbox"/> Registered Mail Restricted Delivery (over \$500) </td> <td> <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery </td> </tr> </table>	<input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Registered Mail <input type="checkbox"/> Registered Mail Restricted Delivery (over \$500)	<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery
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