

**NOTICE OF HEARING  
MUNICIPAL CODE ENFORCEMENT BOARD  
CITY OF CLEARWATER, FLORIDA  
Case 69-21**

**Certified Mail**  
**May 14, 2021**

Owner: **Chestnut & Mrytle LLC**  
**519 Cleveland St Suite 103**  
**Clearwater, FL 33755-4009**

Violation Address: **708 Chestnut St**  
**15-29-15-54450-014-0060**

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) **3-1806.A** 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: CHESTNUT & MRYTLE LLC  
MAILING ADDRESS: 519 CLEVELAND ST STE 103  
CLEARWATER, FL 33755-4009

CITY CASE#: BIZ2021-00076

VIOLATION ADDRESS: 708 CHESTNUT ST  
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 3/5/2021

LEGAL DESCRIPTION OF PROPERTY: MAGNOLIA PARK BLK 14, LOTS 6 AND 7 LESS N 6FT &  
THAT PART OF LOT 8 LESS N 6FT E OF RR R/W

PARCEL #: 15-29-15-54450-014-0060

DATE OF INSPECTION: 5/6/2021 9:39:00 AM

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

3-1806.A. - \*\*Temporary Sign Criteria & Limitations Table\*\* Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b, (attachment included).

TABLE 3-1806.1b. \*\* CRITERIA AND LIMITATIONS FOR ALL OTHER TEMPORARY SIGNS IN ALL ZONING DISTRICTS \*\* Please see the enclosed copy of Table 3-1806.1b.

SPECIFICALLY,

Temporary signs are allowed to be erected on a property located within a non-residential zoning district, but the temporary signs must abide by all of the criteria and limitations presented in Table 3-1806.1b. On a commercial property no more than 4 temporary signs can be erected at a time. Of those 4 only 2 can be utilized for a commercial purpose and only 1 can be a temporary commercial banner sign. At the property multiple temporary commercial banner signs have been erected, most of which are advertising "AAA Service Company". Compliance can be met by reducing the number of temporary signs to no more than 4, no more than 2 of the 4 being for a commercial purpose, only 1 of the 4 being a temporary banner style sign, and all while abiding by the criteria and limitations presented in Table 3-1806.1b. 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

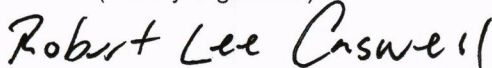
SWORN AND SUBSCRIBED before me by means of \_\_\_\_\_ physical presence or \_\_\_\_\_ online notarization on this 6th day of May, 2021, by Daniel Knight.

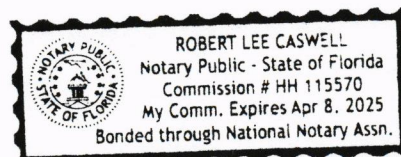
STATE OF FLORIDA  
COUNTY OF PINELLAS

☒ PERSONALLY KNOWN TO ME  
☐ PRODUCED AS IDENTIFICATION

  
Type of Identification

(Notary Signature)

  
Robert Lee Caswell



Name of Notary (typed, printed, stamped)

FILED THIS 6th DAY OF May, 20 21

MCEB CASE NO. 6921

Wendee 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

CHESTNUT & MRYTLE LLC  
519 CLEVELAND ST STE 103  
CLEARWATER, FL 33755-4009

BIZ2021-00076

ADDRESS OR LOCATION OF VIOLATION: **708 CHESTNUT ST**

LEGAL DESCRIPTION: MAGNOLIA PARK BLK 14, LOTS 6 AND 7 LESS N 6FT &  
THAT PART OF LOT 8 LESS N 6FT E OF RR R/W

DATE OF INSPECTION: 2/25/2021

PARCEL: 15-29-15-54450-014-0060

Section of City Code Violated:

3-1806.A. - \*\*Temporary Sign Criteria & Limitations Table\*\* Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b, (attachment included).

TABLE 3-1806.1b. \*\* CRITERIA AND LIMITATIONS FOR ALL OTHER TEMPORARY SIGNS IN ALL ZONING DISTRICTS \*\* Please see the enclosed copy of Table 3-1806.1b.

Specifically: Temporary signs are allowed to be erected on a property located within a non-residential zoning district, but the temporary signs must abide by all of the criteria and limitations presented in Table 3-1806.1b. On a commercial property no more than 4 temporary signs can be erected at a time. Of those 4 only 2 can be utilized for a commercial purpose and only 1 can be a temporary commercial banner sign. At the property multiple temporary commercial banner signs have been erected, most of which are advertising "AAA Service Company". Compliance can be met by reducing the number of temporary signs to no more than 4, no more than 2 of the 4 being for a commercial purpose, only 1 of the 4 being a temporary banner style sign, and all while abiding by the criteria and limitations presented in Table 3-1806.1b. 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 4/8/2021. 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: 3/5/2021

NOV\_PropOwn

Section 3-1806. - Temporary signs.

**TABLE 3-1806.1b. CRITERIA AND LIMITATIONS FOR ALL OTHER TEMPORARY SIGNS IN ALL ZONING DISTRICTS**

CRITERIA	Residential Zoning Districts	Non-Residential Zoning Districts
Maximum number of temporary signs per parcel <sup>1</sup>	8	4
Maximum sign size (area) for a temporary sign <sup>2</sup>	4 sq. ft.	16 sq. ft.
Maximum sign height for a temporary freestanding sign <sup>3</sup>	6 ft.	6 ft.
Maximum sign height for a temporary attached sign (inclusive of a window sign)	15 ft.	15 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from any property line <sup>4</sup>	5 ft.	5 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from the edge of any paved street or road	5 ft.	5 ft.
Minimum radial spacing that is required to be maintained by a temporary freestanding sign from any other temporary freestanding sign <sup>5</sup>	15 ft.	15 ft.
Maximum aggregate surface area allocated for all temporary signs on a parcel <sup>6</sup>	64 sq. ft.	128 sq. ft.
Whether temporary sign is allowed on public property or public right-of-way	No	No
Whether temporary sign is allowed within a sight visibility triangle	No	No
whether direct illumination of surface of a temporary sign is allowed	No	No

Whether fluorescent color on a temporary sign is allowed	No	No
Duration allowed after event ends	3 calendar days	3 calendar days

<sup>1</sup> The number of temporary commercial signs per parcel shall be no more than two signs; however, no more than one temporary commercial sign per parcel may be a banner sign and a temporary commercial banner sign is limited to a maximum duration of display of no more than 30 days per calendar year per parcel.

<sup>2</sup> The square footage limitation is per side for a back-to-back sign. For example, a four square foot limitation means that there is a limit of four square feet of surface area per side of a back-to-back sign, and an aggregate limit of eight square feet is allowed if the sign is a back-to-back temporary sign.

<sup>3</sup> Not applicable to signs displayed on flagpoles.

<sup>4</sup> Minimum sign setbacks do not apply to attached signs. Except as set forth in Section 3-1806 for sidewalk signs as allowed herein and for valet stands as allowed herein, all temporary signs are prohibited on public property and from public rights-of-way.

<sup>5</sup> Not applicable to signs displayed on flagpoles.

<sup>6</sup> There is no limit to the number of separate messages that may appear on the allowable surface(s) of any temporary sign. The maximum aggregate surface area allowed is subject to circumstances that may reduce the maximum aggregate surface area allowable on some parcels.

(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 § 3-1806, and enacted a new § 3-1806 as set out herein. The former § 3-1806 pertained to general standards and derived from Ord. No. 8343-12, § 2(Exh. 1), adopted Aug. 16, 2012; Ord. No. 8402-13, § 1, adopted June 6, 2013.



## Section 3-1806. - Temporary signs.

- A. Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b, shown below.
- B. A temporary sign displayed on a window surface must be displayed on the inside of the window surface, shall cover no more than 25 percent of the aggregate window surface area, and shall not be illuminated. This temporary sign allowance shall be reduced by any window surface area already covered by signage allowed in Section 3-1805.O.

TABLE 3-1806.1a. CRITERIA AND LIMITATIONS FOR SIDEWALK SIGNS

Location	In front of primary retail and restaurants within the linear footage of the storefront. Also in the immediate vicinity of parking garages/lots and valet stands. <sup>1</sup>
Maximum Number of Signs	1 per business
Maximum Width	2 feet
Maximum Height	3½ feet
Maximum Distance from Building Wall (as measured at the nearest point of sidewalk sign)	2 feet, except 5 feet in the Cleveland Street Café District in the Downtown zoning District and 2 feet from the entryway of a parking garage/lot and valet stands.
Maximum Width of Public Sidewalk that the Sign May Obstruct	4 foot clear path on the sidewalk shall be maintained
Duration Allowed	Only during hours while business or valet service is operating
Allowed on Public Property and Right-of-Way	Yes
Allowed in a Sight Visibility Triangle	No

- e. Flexibility with regard to sign style and size may be considered, provided the sign is designed as part of the architectural theme of the property and/or use using similar and coordinated design features, materials, and colors.

<sup>3</sup> Permit information.

- a. A permit shall be obtained on a yearly basis.
- b. A sketch, photo or drawing of the proposed sidewalk sign, along with the required fee, shall be submitted and approved prior to the placement of the sidewalk sign.
- c. If proposed to be placed in a public right-of-way, evidence of general liability insurance in the amount of \$1,000,000.00 in a form acceptable to the city, with the city named as additional insured shall also be provided.

**TABLE 3-1806.1b. CRITERIA AND LIMITATIONS FOR ALL OTHER  
TEMPORARY SIGNS IN ALL ZONING DISTRICTS**

CRITERIA	Residential Zoning Districts	Non- Residential Zoning Districts
Maximum number of temporary signs per parcel <sup>1</sup>	8	4
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Maximum sign height for a temporary attached sign (inclusive of a window sign)	15 ft.	15 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from any property line <sup>4</sup>	5 ft.	5 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from the edge of any paved street or road	5 ft.	5 ft.



Minimum radial spacing that is required to be maintained by a temporary freestanding sign from any other temporary freestanding sign <sup>5</sup>	15 ft.	15 ft.
Maximum aggregate surface area allocated for all temporary signs on a parcel <sup>6</sup>	64 sq. ft.	128 sq. ft.
Whether temporary sign is allowed on public property or public right-of-way	No	No
Whether temporary sign is allowed within a sight visibility triangle	No	No
Whether direct illumination of surface of a temporary sign is allowed	No	No
Whether fluorescent color on a temporary sign is allowed	No	No
Duration allowed after event ends	3 calendar days	3 calendar days

- <sup>1</sup> The number of temporary commercial signs per parcel shall be no more than two signs; however, no more than one temporary commercial sign per parcel may be a banner sign and a temporary commercial banner sign is limited to a maximum duration of display of no more than 30 days per calendar year per parcel.
- <sup>2</sup> The square footage limitation is per side for a back-to-back sign. For example, a four square foot limitation means that there is a limit of four square feet of surface area per side of a back-to-back sign, and an aggregate limit of eight square feet is allowed if the sign is a back-to-back temporary sign.
- <sup>3</sup> Not applicable to signs displayed on flagpoles.
- <sup>4</sup> Minimum sign setbacks do not apply to attached signs. Except as set forth in Section 3-1806 for sidewalk signs as allowed herein and for valet stands as allowed herein, all temporary signs are prohibited on public property and from public rights-of-way.

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

**15-29-15-54450-014-0060**

**Compact Property Record Card**

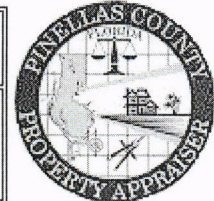
[Tax Estimator](#)

**Updated May 6,**  
**2021**

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

[FEMA/WLM](#)

<b>Ownership/Mailing Address <a href="#">Change</a></b>	<b>Site Address</b>
<b><u>Mailing Address</u></b>	
CHESTNUT & MRYTLE LLC 519 CLEVELAND ST STE 103 CLEARWATER FL 33755-4009	708 CHESTNUT ST CLEARWATER



Property Use: 1000 (Vacant Commercial Land) Current Tax District: CLEARWATER DOWNTOWN (CWD) Total Heated SF: Total Gross SF:

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

MAGNOLIA PARK BLK 14, LOTS 6 & 7 LESS N 6FT THEREOF TOGETHER WITH THAT PART OF LOT 8 LESS N 6FT LYING E OF VAC RR SPUR R/W (MAP N-16-29-15)

<b>File for Homestead Exemption</b>			<b>2021 Parcel Use</b>	
<b>Exemption</b>	<b>2021</b>	<b>2022</b>		
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)**

<b>Most Recent Recording</b>	<b><u>Sales Comparison</u></b>	<b><u>Census Tract</u></b>	<b>Evacuation Zone</b> (NOT the same as a FEMA Flood Zone)	<b>Flood Zone</b> (NOT the same as your evacuation zone)	<b>Plat Book/Page</b>
20007/1504		121030259022	NON EVAC	<a href="#">Compare Preliminary to Current FEMA Maps</a>	3/43

**2020 Final 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	\$613,700	\$613,700	\$613,700	\$613,700	\$613,700



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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:

Chestnut & Myrtle LLC  
 519 Cleveland St. STE 103  
 Clearwater, FL 33755



9590 9402 5667 9308 6366 78

Ref: 708 Chestnut (Temp)

2. Article Number (Transfer from service label)

7019 2970 0001 6148 5938

**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

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

Domestic Return Receipt