NOTICE OF HEARING

MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA

Notice sent on: 09/14/2021
Certify Receipt # 70203160000079342440

Case#: SWO2021-04025

Owner: 1448 GULF TO BAY LLC
P O BOX 1425
TARPON SPRINGS, FL 34688-1425

Violation Address: **1446 GULF TO BAY BLVD**
Parcel # 14-29-15-47016-003-0150

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, October 27, 2021,** at **1:30 p.m.** there will be a public hearing before the **Municipal Code Enforcement Board in the Main Library, Room A/B, at 100 North Osceola Avenue, Clearwater, Florida**, concerning violation of Section 4-203 A.1 and 47.083 of the Clearwater City Code, 2018 International Property Maintenance Code, or Florida Building Code, or National Electric 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 or give an order for the City of Clearwater to rectify the violation by any reasonable means necessary.

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,

SAM SWINTON
HOUSING INSPECTOR

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 purpose of this quasi-judicial Board of seven citizens is to quickly and fairly render decisions and facilitate enforcement of certain codes 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 silence electronic devices during the hearings.
FLORIDA STATUTE 286.0105 STATES THAT ANY PERSON APPEALING A DECISION OF THIS BOARD WILL NEED A RECORD OF THE PROCEEDINGS.

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

City Case Number: SWO2021-04025

NAME OF VIOLATOR: 1446 GULF TO BAY LLC
MAILING ADDRESS: PO BOX 1425
TARPON SPRINGS, FL 34688-1425

VIOLATION ADDRESS: 1446 GULF TO BAY BLVD

LEGAL DESCRIPTION OF PROPERTY: See "Exhibit "A", Pinellas County Property Records Printout, attached, for legal description

PARCEL #: 14-29-15-47016-003-0150

DATE OF INSPECTION: 9/23/2021 8:39:00 AM

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

4-203.A.1 - No person shall commence any construction, demolition, modification or renovation of a building or structure without first obtaining a building permit.

Article IV - 47.083(2) - Work commencing before permit issuance.

Sam Swinton

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of ✓ physical presence or _____ online notarization on this 7th day of October, 2021, by Sam Swinton.

☒ PERSONALLY KNOWN TO ME

☐ PRODUCED AS IDENTIFICATION _____

Type of Identification

(Notary Signature)

Vicki J Komeroskas

Name of Notary (typed, printed, stamped)

FILED THIS 7 DAY OF October, 2021

VICKI J. KOMEROSKAS
MY COMMISSION EXPIRES MARCH 4, 2023
#GG 291906
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

MCEB CASE NO. 148-21

Secretary, Municipal Code Enforcement Board

Affidavit_Req4Hearing

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) 562-4567 FAX (727) 562-4576

NOTICE OF VIOLATION

SWO2021-04025

1446 GULF TO BAY LLC
PO BOX 1425
TARPON SPRINGS, FL 34688-1425

ADDRESS OR LOCATION OF VIOLATION: **1446 GULF TO BAY BLVD**

LEGAL DESCRIPTION: KNOLLWOOD REPLAT BLK 3, SW'LY 100FT OF LOT 14, ALL OF LOT 15 & SE'LY 30FT OF LOT 16

DATE OF INSPECTION: 05/12/2021 PARCEL: 14-29-15-47016-003-0150

Section of City Code violated:

4-203.A.1 - No person shall commence any construction, demolition, modification or renovation of a building or structure without first obtaining a building permit.

Article IV - 47.083(2) - Work commencing before permit issuance.

Specifically, ENCLOSED WINDOWS IN THE REAR OF BUILDING, INTERIOR REMODELING, WORK BEING DONE WITHOUT PROPER PERMITS AND INSPECTIONS.

PERMIT(S) MUST BE OBTAIN TO AVOID ANY FURTHER LEGAL ACTION

FINES UP TO $250 PER DAY MAY BE IMPOSED FOR NON-COMPLIANCE

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 6/2/2021. 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 ADMININSTRATIVE HEARING SHOULD THIS PERSON BE FOUND GUILTY OF THE VIOLATION.

Inspector Signature

DATE MAILED: 5/12/2021
INSPECTOR: Sam Swinton
INSPECTOR TELEPHONE: 727-562-4712
70172620000033070002

"EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION EMPLOYER"

Sec. 47.081. - Application.

The design professional shall be an architect or engineer legally registered under the laws of Florida regulating the practice of architecture or engineering and shall affix his official seal to drawings, specifications, and accompanying data for all group occupancies except R3. Group R3 buildings, regardless of size, where the work affects the structural components of a building must be designed for compliance to chapter 16, "Structural Loads," by an architect or engineer who shall affix his official seal to said drawings, specifications, and accompanying data, or shall otherwise demonstrate compliance using alternatives approved by the Pinellas County Construction Licensing Board.

Exception: Construction less than $10,000.00 and not affecting the structural components of the building.

(Ord. No. 5767-95, § 1, 3-16-95)

Note— Replaces Section 104.2.3.

Sec. 47.082. - Moving of buildings.

When moving a building onto a lot within the city, the applicant shall provide a list of names and addresses of all property owners within 250 feet of the proposed site of the building. The building official shall mail a notice of the application to the owners of all properties situated within 250 feet of the subject property. All such notices shall be sent by mail to the last known names and addresses as indicated on the county tax roll. No permit for the moving of any building onto a site within the city limits shall be issued by the building official until the written application has been on file for a minimum period of seven days after filing of such application to allow the building official to give written notice of such application to all property owners within 250 feet of the proposed site.

(Ord. No. 5767-95, § 1, 3-16-95)

Sec. 47.083. - Fees.

(1) *Prescribed.* The city will issue any permit(s) required by this Code, once all approvals are granted and all fees as required by Appendix A of this Code are paid. Any amendments to the permit will be released once they are approved and any additional fees due to such amendment as required by Appendix A are paid.

EXCEPTION: A temporary permit may be issued for projects which do not require plan review such as roof work, water heater, change-out and air conditioning replacement by facsimile. In that event, the applicant has ten calendar days from the date the temporary permit is issued to make the proper payments and receive the regular permit. If the permit is not paid for within ten days of issuance of the temporary permit, the applicant shall pay a triple or ten times fee as described in appendix A of this Code.

(2) *Work commencing before permit issuance.* If any person commences any work on a building, structure, or electrical, plumbing, mechanical or gas system before obtaining the necessary permit, he shall be subject to a penalty as provided in appendix A to this Code.

(3) *Accounting.* The building official shall keep a permanent and accurate accounting of all permit fees and other monies collected, and the names of all persons upon whose account the fees or monies were paid, along with the date and amount thereof.

(4) *Schedule.* On all buildings, structures, and electrical, plumbing, mechanical and gas systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing application or issuing of permits, in accordance with the schedule in appendix A to this Code.

(5) *Building permit valuations.* If, in the opinion of the building official, the valuation of building, alteration, structure, or electrical, gas, mechanical or plumbing systems appears to be underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Permit valuations shall include total cost, such as electrical, gas, mechanical, plumbing equipment and other systems, including materials and labor.

(Ord. No. 5767-95, § 1, 3-16-95; Ord. No. 6145-97, § 1, 6-19-97)

Note— Replaces Standard Code Section 104.7.

Sec. 47.084. - Demolition fencing.

In connection with demolition of one or more structures on a site with an area of one acre or larger, a continuous see-through fence of six feet in height, shall be required around the perimeter of the site to limit access to only individuals and equipment involved in the demolition

Section 4-203. - Building permit.

A. *Permit required.*

1. No person shall commence any construction, demolition, modification or renovation of a building or structure without first obtaining a building permit.
2. No seawall, bulkhead, groin, marine improvement, bridge or other similar marine structure shall be built within the city until the building official has issued a building permit for such work.
3. A building permit shall authorize only the use, arrangement and/or construction described in Level One and Two approvals and no other use, arrangement or construction.
4. Complete engineering and architectural plans for each component of a development project shall be required to be submitted prior to the issuance of a building permit. For any phased project, such plans shall be required for each phase of the development.

B. *Procedure:* All applications for building permits shall be submitted in a form required by this Development Code and the building official. Upon receipt of an application, including a declaration of unity of title, in accordance with Article 4 Division 16, the building official shall forward a copy to the community development coordinator in order to determine whether the application conforms to an approved Level One or Level Two approval. Upon receipt of the determination of the community development coordinator, the building official shall determine whether the application conforms to all applicable requirements contained in the building code. If the building official determines that the application does conform, the building permit shall be issued. If the building official determines that the application does not conform, he shall identify the application's deficiencies and deny the application.

C. *Appeal:* A denial of a building permit may be appealed in the manner provided in Article 4 Division 5.

(Ord. No. 6526-00, § 1, 6-15-00)

Exhibit A

14-29-15-47016-003-0150

Compact Property Record Card

Tax Estimator

Updated September 8, 2021

Email Print Radius Search FEMA/WLM

Ownership/Mailing Address Change Mailing Address	Site Address
1446 GULF TO BAY LLC PO BOX 1425 TARPON SPRINGS FL 34688-1425	1446 GULF TO BAY BLVD CLEARWATER

Property Use: 1121 (Strip Store - (2 or more stores)) | Current Tax District: CLEARWATER (CW) | Total Heated SF: 6,424 | Total Gross SF: 7,344

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

KNOLLWOOD REPLAT BLK 3, SW'LY 100FT OF LOT 14, ALL OF LOT 15 & SE'LY 30FT OF LOT 16

File for Homestead Exemption

Exemption	2021	2022
Homestead:	No	No
Government:	No	No
Institutional:	No	No
Historic:	No	No

2021 Parcel Use

Homestead Use Percentage: 0.00%

Non-Homestead Use Percentage: 100.00%

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
21056/0474	Sales Query	121030264022	NON EVAC	Current FEMA Maps	21/70

2021 Preliminary Value Information

Year	Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2021	**$350,000**	**$350,000**	**$350,000**	**$350,000**	**$350,000**

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

Year	Homestead Exemption	Just/Market Value	Assessed Value	County Taxable Value	School Taxable Value	Municipal Taxable Value
2020	No	$365,000	$365,000	$365,000	$365,000	$365,000
2019	No	$354,000	$354,000	$354,000	$354,000	$354,000
2018	No	$348,000	$348,000	$348,000	$348,000	$348,000
2017	No	$340,000	$340,000	$340,000	$340,000	$340,000
2016	No	$321,500	$321,500	$321,500	$321,500	$321,500
2015	No	$310,000	$310,000	$310,000	$310,000	$310,000
2014	No	$305,000	$305,000	$305,000	$305,000	$305,000

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FAQs >

NOH

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Tracking Number: 70203160000079342440

Your item has been delivered and is available at a PO Box at 8:20 am on September 17, 2021 in TARPON SPRINGS, FL 34689.

Delivered, PO Box

September 17, 2021 at 8:20 am
TARPON SPRINGS, FL 34689

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