

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA
AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

NAME OF VIOLATOR: MARK G MONTGOMERY
MAILING ADDRESS: 456 SKINNER BLVD
DUNEDIN, FL 34698-4938

CITY CASE#: PNU2024-01411

VIOLATION ADDRESS: 1206 N GARDEN AVE
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION:

LEGAL DESCRIPTION OF PROPERTY: PALM BLUFF 1ST ADD LOT 10

PARCEL #: 09-29-15-65466-000-0100

DATE OF INSPECTION: 11/25/2024 11:18:00 AM

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

3-1503.B.7. - ****LOT CLEARING VIOLATION**** Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than twelve (12") inches, or the accumulation of debris upon property within the City of Clearwater.


3-1503.B.8. - ****UNMAINTAINED RIGHT-OF-WAY**** The lack of maintenance by a property owner of property abutting any dedicated right-of-way in the city in a condition such that weeds or trash are found in and on the right-of-way or such that the weeds, shrubs, vegetation, trash, or any other accumulation extend over the sidewalk, bicycle path, curblineline or edge of pavement of an improved right-of-way or private accessway or roadway by more than four inches.

3-1503.B.5.A. - ****Accumulation and Placement of Nuisances**** An accumulation of weeds, debris, trash garden trash, junk, untended growth of vegetation or undergrowth of dead or living vegetation or hazardous swimming pools, or hazardous trees upon any property to the extent and manner that such property contains or is likely to contain rodents, reptiles, or other vermin, or furnishes a breeding place for flies, mosquitoes, or wood destroying insects, or otherwise threatens the public health, safety or welfare.

SPECIFICALLY,

Please mow the lawn and remove all debris.

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



Daniel Kasman

SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 13th day of January, 2025, by Daniel Kasman.

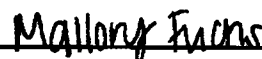
STATE OF FLORIDA
COUNTY OF PINELLAS

- PERSONALLY KNOWN TO ME
 PRODUCED AS IDENTIFICATION

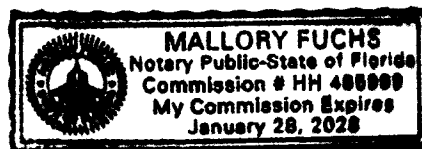
Type of Identification



(Notary Signature)



Name of Notary (typed, printed, stamped)



FILED THIS 14th DAY OF January, 20 25

MCEB CASE NO. 05-25

Chloe 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

Lot Clearing Notice of Violation

MARK G MONTGOMERY
456 SKINNER BLVD
DUNEDIN, FL 34698-4938

PNU2024-01411

ADDRESS OR LOCATION OF VIOLATION: 1206 N GARDEN AVE

PARCEL: 09-29-15-85466-000-0100

LEGAL DESCRIPTION: PALM BLUFF 1ST ADD LOT 10

DATE OF INSPECTION: 11/25/2024

An inspection of this property discloses and it has been found and determined that a lot clearing violation exists on this property and/or public right-of-way abutting this property constituting a violation of:

- Section 3-1503.B.7.** which constitutes: Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than twelve (12) inches, or the accumulation of debris upon property within the City of Clearwater.
- Section 3-1503.B.8.** which constitutes: The lack of maintenance by a property owner of property abutting any dedicated right-of-way in the city in a condition such that weeds or trash are found in and on the right-of-way or such that the weeds, shrubs, vegetation, trash, or any other accumulation extend over the sidewalk, bicycle path, curblin e or edge of pavement of an improved right-of-way or private accessway or roadway by more than four (4) inches.
- Section 3-1503.B.10.** which constitutes: The lack of maintenance by a property owner abutting any dedicated right-of-way or easement in the city where a height clearance of less than eight (8) feet from the sidewalk pavement measured vertically from the pavement surface is maintained, unless an exception has been granted by the urban forester.
- Section 3-1503.B.5.a.** which constitutes: Any accumulation of weeds, debris, trash, garden trash, junk, untended growth of vegetation, or undergrowth of dead or living vegetation or hazardous swimming pools, or hazardous trees upon any private property, or on any public property without authorization to the extent and manner that such property contains or is likely to contain rodents, reptiles or other vermin, or furnishes a breeding place for flies, mosquitoes, or wood-destroying insects, or otherwise threatens the public health, safety or welfare.

Specifically: Please mow the lawn and remove all debris.

THIS VIOLATION SHALL BE CORRECTED BY 1/22/2025

You are to remedy the above described condition by the above-described correction date. If you do not remedy the condition by the above-described date then a public hearing will be held on Wednesday, 1/22/2025, at 1:30 p.m. before the Municipal Code Enforcement Board in the Council Chambers, Clearwater Main Library, 100 N Osceola Ave, Clearwater, FL 33755 concerning the above described violation. Failure to appear may result in the Board proceeding in your absence.



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

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 above are corrected prior to the Board hearing if compliance is met after the compliance date set forth above.

Should you be found in violation of the City Code, the Municipal Code Enforcement Board has the power by law to allow the City to make all reasonable repairs which are required to bring the property into compliance and charge you with the reasonable cost of the repairs along with daily fines which may become a lien on all non-exempt real and personal property you own.

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 below.

Daniel Kasman

Daniel Kasman Code Inspector
727-444-8715
daniel.kasman@myclearwater.com

Date Printed: 12/26/2024

Section 3-1503. - Nuisances.

- A. No person owning, leasing, operating, occupying or having control of any premises within the city shall maintain, keep or permit any nuisance affecting the citizens of the city.
- B. The existence of any of the following specific conditions or conduct is hereby declared to constitute a public nuisance:
1. A condition or use that causes a substantial diminution of value of property in the vicinity of the condition or use.
 2. Buildings which are abandoned, boarded up for a period of six months, partially destroyed for any period of time, or left for a period of three months in a state of partial construction, provided that any unfinished building or structure which has been under construction six months or more shall be deemed and presumed to have been left for an unreasonably long period of time in the sense of this subsection.
 3. Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.
 4. Overt blocking of drainage pipes, ditches, channels, and streams, so as to cause flooding and adversely affect surrounding property.
 5. Accumulation and placement of nuisances.
 - a. Any accumulation of weeds, debris, trash, garden trash, junk, untended growth of vegetation, or undergrowth of dead or living vegetation or hazardous swimming pools, or hazardous trees upon any private property, or on any public property without authorization to the extent and manner that such property contains or is likely to contain rodents, reptiles or other vermin, or furnishes a breeding place for flies, mosquitoes, or wood-destroying insects, or otherwise threatens the public health, safety or welfare.
 - b. The placement of trash, debris or other items on public property without authorization.
 6. Except as provided in section 3-1506, the outdoor storage of all or part of any dismantled, partially dismantled, inoperative or discarded vehicle, recreational vehicle, machinery, appliance, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, bicycle, or scrap metal, on any public or private property, or of any abandoned vehicle, recreational vehicle, farm equipment, aircraft, boat, personal watercraft, trailer, truck, or motorcycle on any private property, within the city limits. This provision shall not apply to any vehicle, recreational vehicle, machinery, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, or bicycle which is located on the premises of a lawfully established storage yard or which is on the premises of a lawfully established vehicle service establishment and is in the process of repair or maintenance by that establishment.

7. Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than 12 inches, or the accumulation of debris upon property within the City of Clearwater.
8. The lack of maintenance by a property owner of property abutting any dedicated right-of-way in the city in a condition such that weeds or trash are found in and on the right-of-way or such that the weeds, shrubs, vegetation, trash, or any other accumulation extend over the sidewalk, bicycle path, curblineline or edge of pavement of an improved right-of-way or private accessway or roadway by more than four inches.
9. Any other condition or use that constitutes a nuisance to the public, generally, which is continually or repeatedly maintained, the abatement of which would be in the best interest of the health, safety and welfare of the citizens of the city.
10. The lack of maintenance by a property owner abutting any dedicated right-of-way or easement in the city where a height clearance of less than eight feet from the sidewalk pavement measured vertically from the pavement surface is maintained, unless an exception has been granted by the urban forester.
11. Any shopping carts, as defined in Florida Statutes Section 506.502(10), as amended from time to time, or parts of such carts, which are abandoned on public property including but not limited to streets, sidewalks, public rights-of-way, bus stops, municipal parking lots, parks, and similar places owned, leased, or operated by any public body, or are abandoned on private property where said carts or parts thereof are visible from public property may be removed by the city manager or designee. Such shopping carts or parts thereof shall be impounded and stored by the city at an appropriate location. Whenever the city shall impound a shopping cart of [or] part thereof containing identification of ownership or right to possession, a notice shall be sent by ordinary mail to such person advising that the shopping cart of [or] part thereof may be redeemed within thirty days upon payment of costs for removal and storage. Any shopping cart or part thereof so held shall be returned to its owner or person having right of possession upon proof of ownership or right to possession and payment of costs for removal and storage. If not claimed, a shopping cart or part thereof may be sold, destroyed, or otherwise disposed of by the city 31 days following impoundment. This section shall not be applicable to:
 - a. Shopping carts or parts thereof which are located on private property and are completely enclosed within a building where they are not visible from public property;
 - b. Shopping carts which are stored in a lawful manner on public or private property owned or leased by a retail business in connection with which the shopping carts are authorized to be used;
 - c.

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

City Case Number: PNU2024-01411

Site of Violation: 1206 N GARDEN AVE

1. Daniel Kasman, being first duly sworn, deposes and says:
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 26th day of December, 2024, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 1206 N GARDEN AVE, Clearwater, Florida.

Daniel Kasman
 Daniel Kasman Code Inspector
 727-444-8715
 daniel.kasman@myclearwater.com

RECEIVED
 DEC 27 2024

CITY CLERK DEPARTMENT

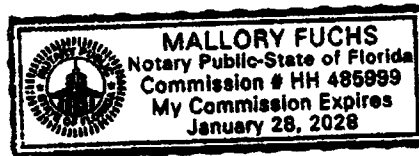
STATE OF FLORIDA
 COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 26th day of December, 2024, by Daniel Kasman.

- PERSONALLY KNOWN TO ME
 PRODUCED AS IDENTIFICATION

Mallory Fuchs _____
 (Notary Signature) Type of Identification

Mallory Fuchs
 Name of Notary (typed, printed, stamped)



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.

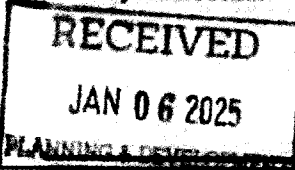
A. Signature
 X *[Signature]* Agent Addressee

B. Received by (Printed Name)
 @ Montague

C. Date of Delivery
 1/2/25

Address different from back?? Yes No
 or delivery address below: Yes No

MONTGOMERY, MARK G
 456 SKINNER BLVD
 DUNEDIN, FL 34698-4938

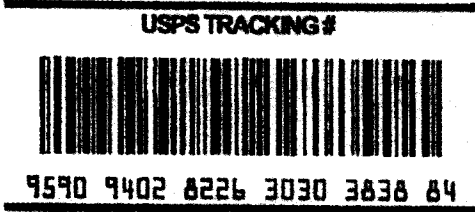


2. Article Number (Transfer from service label)
 7019 2970 0001 6126 1631

3. Service Type COMPLIANCE

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Registered Mail [®]
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail [®]	<input type="checkbox"/> Signature Confirmation [™]
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Collect on Delivery	
<input type="checkbox"/> Collect on Delivery Restricted Delivery	
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

PS Form 3811, July 2020 PSN 7530-02-000-9053 *OK Feb 2024 - 01411* Domestic Return Receipt



First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

United States
 Postal Service

* Sender: Please print your name, address, and ZIP+4® in this box*

CITY OF TAMPA FL
 CODE OF ORDINANCES
 POST OFFICE BOX 1748
 CITY OF TAMPA FL 33601-4938

INITIALS *Dalk*





Parcel Summary (as of 13 Jan 2025)

Parcel Map

Parcel Number

09-29-15-65466-000-0100

Owner Name

MONTGOMERY, MARK G

Property Use

1000 Vacant Commercial Land

Site Address

1206 N GARDEN AVE
CLEARWATER, FL 33755

Mailing Address

456 SKINNER BLVD
DUNEDIN, FL 34698-4938

Legal Description

PALM BLUFF 1ST ADD LOT 10

Current Tax District

CLEARWATER (CW)

Year Built



			Buildings
Heated SF	Gross SF	Living Units	
			0

Exemptions

Year	Homestead	Use %	Status	Property Exemptions & Classifications
2026	No	0%		No Property Exemptions or Classifications found. Please note that Ownership Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc... will not display here).
2025	No	0%		
2024	No	0%		

Miscellaneous Parcel Info

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
20973/1848	Find Comps	261.01	NON EVAC	Current FEMA Maps	Check for EC	Zoning Map	5/14

2024 Final Values

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2024	\$69,998	\$53,735	\$53,735	\$69,998	\$53,735

Value History (yellow indicates corrected value)

Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	N	\$67,405	\$48,850	\$48,850	\$67,405	\$48,850
2022	N	\$57,035	\$44,409	\$44,409	\$57,035	\$44,409
2021	N	\$68,000	\$68,000	\$68,000	\$68,000	\$68,000
2020	N	\$63,750	\$63,750	\$63,750	\$63,750	\$63,750
2019	Y	\$55,081	\$23,279	\$0	\$0	\$0