

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 185-25**

**Certified Mail
November 7, 2025**

Owner: **Rafael Cruz-Patricio
Artemia P Cruz
1 S Duncan Ave.
Clearwater, FL 33755-6406**

Violation Address: **1 S Duncan Ave.
14-29-15-00000-110-1300**

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, December 17, 2025, 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) **4-203.A.1, 3-203.B, & Article IV 47.083(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 727-444-7155. 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

City Case Number: SWO2021-02006

NAME OF VIOLATOR: RAFAEL CRUZ-PATRICIO
ARTEMIA P CRUZ
MAILING ADDRESS: 1 S DUNCAN AVE
CLEARWATER, FL, 33755-6406

VIOLATION ADDRESS: 1 S DUNCAN AVE

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

PARCEL #: 14-29-15-00000-110-1300

DATE OF INSPECTION: 10/1/2025 11:11:00 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.

3-203.B. - **Accessory Structures-Setbacks** Accessory structures shall comply with those setbacks established in their respective zoning district.

Catherine Reese
Catherine Reese

STATE OF FLORIDA
COUNTY OF PINELLAS

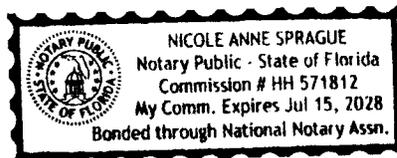
SWORN AND SUBSCRIBED before me by means of ✓ physical presence or online notarization on this 01st day of October, 2025, by Catherine Reese.

- PERSONALLY KNOWN TO ME
- PRODUCED AS IDENTIFICATION

Nicole Sprague
(Notary Signature)

Type of Identification

Nicole Sprague



Name of Notary (typed, printed, stamped)

FILED THIS 5th DAY OF November, 2025

MCEB CASE NO. 185.25

Nicole 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) 562-4567 FAX (727) 562-4576

NOTICE OF VIOLATION

SWO2021-02006

RAFAEL CRUZ-PATRICIO
ARTEMIA P CRUZ
1 S DUNCAN AVE
CLEARWATER, FL 33755-6406

ADDRESS OR LOCATION OF VIOLATION: **1 S DUNCAN AVE**

LEGAL DESCRIPTION: S 86.14 FT OF N 1051.89 FT OF E 135 FT OF W 165 FT OF NE 1/4 OF NE 1/4 (LOT 14)

DATE OF INSPECTION: 09/11/2025

PARCEL: 14-29-15-00000-110-1300

Section of City Code violated:

3-203.B. - ****Accessory Structures-Setbacks**** Accessory structures shall comply with those setbacks established in their respective zoning district.

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, Permit BCP2021-050709 has expired without finalizing. Stop work order cannot be resolved until permit is issued and finalized.

Call Planning & Development 727-562-4567 to obtain permit.

**PERMIT(S) MUST BE OBTAINED 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 10/1/2025. 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.

Catherine Reese
Code Inspector

DATE MAILED: 9/11/2025
INSPECTOR: Catherine Reese
INSPECTOR TELEPHONE: (727) 444-8141
CC: 9589071052702276539588

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)

Parcel Summary (as of 09-Oct-2025)

Parcel Map

Parcel Number

14-29-15-00000-110-1300

Owner Name

CRUZ-PATRICIO, RAFAEL
CRUZ, ARTEMIA P

Property Use

0110 Single Family Home

Site Address

1 S DUNCAN AVE
CLEARWATER, FL 33755

Mailing Address

1 S DUNCAN AVE
CLEARWATER, FL 33755-6406

Legal Description

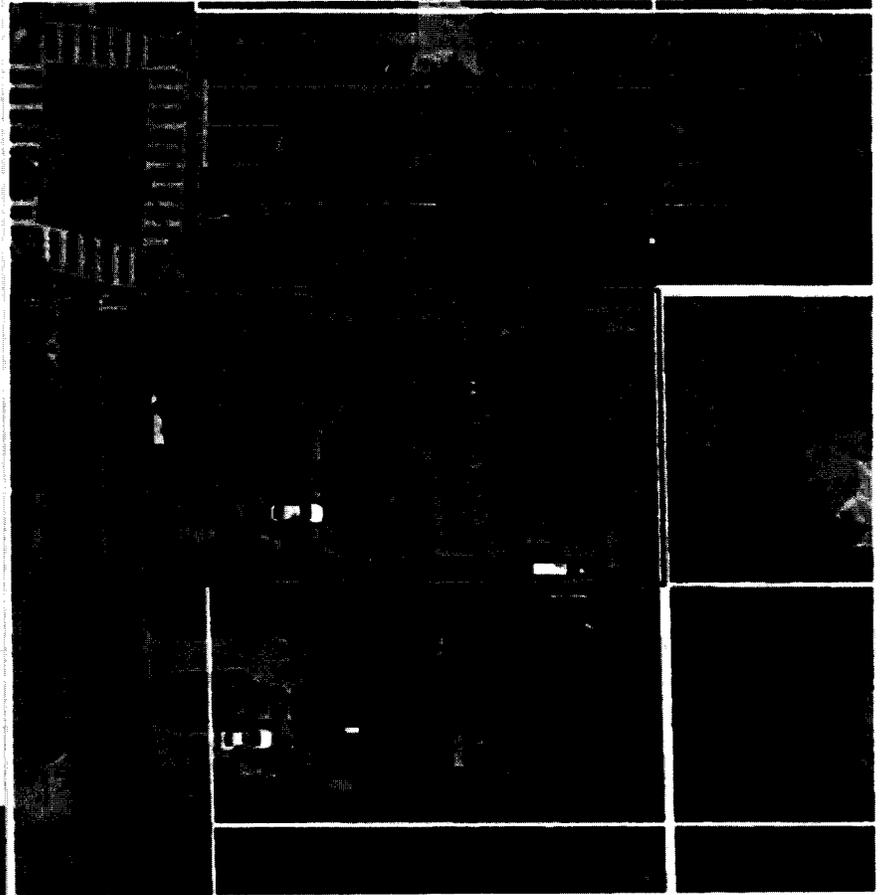
S 86.14 FT OF N 1051.89 FT OF E 135 FT OF W 165 FT OF NE 1/4 OF NE 1/4 (LOT 14)

Current Tax District

CLEARWATER (CW)

Year Built

1951



Living SF	Gross SF	Living Units	Buildings
1,407	2,198	1	1

Exemptions

Year	Exemption Type	Percentage
2025	Yes	100%

No Property Exemptions or Classifications found. Please note that Ownership Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc... will not display here).

Miscellaneous Parcel Info

10496/2259	\$338,100	266.02	NON EVAC	Current FEMA Maps	Check for EC	Zoning Map	/
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2025 Final Values

2025	\$287,389	\$124,885	\$74,163	\$99,885	\$74,163
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Value History (yellow indicates corrected value)

2024	Y	\$276,250	\$121,365	\$71,365	\$96,365	\$71,365
2023	Y	\$297,736	\$117,830	\$67,830	\$92,830	\$67,830
2022	Y	\$262,335	\$114,398	\$64,398	\$89,398	\$64,398
2021	Y	\$189,576	\$104,871	\$54,871	\$79,871	\$54,871
2020	Y	\$182,256	\$103,423	\$53,423	\$78,423	\$53,423