

**MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA**

**AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING**

City Case Number: PNU2024-01448

NAME OF VIOLATOR: LINDA R BROWN  
BRIAN C BROWN  
MAILING ADDRESS: 3339 PATTIE PL  
PALM HARBOR, FL 34685-2112

VIOLATION ADDRESS: 1721 LUCAS DR

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

PARCEL #: 05-29-16-94374-005-0240

DATE OF INSPECTION: 1/6/2025 10:05:00 AM

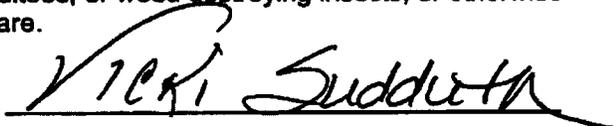
SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE  
SECTION VIOLATED

3-1502.K.1. **\*\*SIDEWALKS AND PUBLIC ROW\*\*** 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.

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.

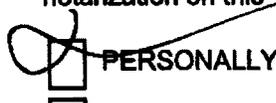
3-1503.B.8. - **\*\*UNMAINTAINED RIGHT-OF-WAY\*\*** The lack of maintenance by a property owner of property abutting any dedicated right-of-way in the city in a condition such that weeds or trash are found in and on the right-of-way or such that the weeds, shrubs, vegetation, trash, or any other accumulation extend over the sidewalk, bicycle path, curbline 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.

  
Vicki Sudduth

STATE OF FLORIDA  
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of     a     physical presence or      online notarization on this 15th day of January, 2025, by Vicki Sudduth.

  PERSONALLY KNOWN TO ME

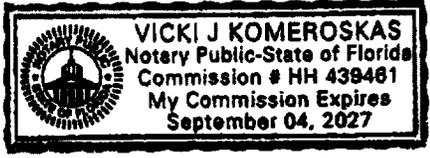
PRODUCED AS IDENTIFICATION

*[Handwritten Signature]*

\_\_\_\_\_  
Type of Identification

(Notary Signature)

\_\_\_\_\_  
Name of Notary (typed, printed, stamped)



FILED THIS 15 DAY OF January, 2025

MCEB CASE NO. 03:24

*[Handwritten Signature]*  
\_\_\_\_\_  
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

LINDA R BROWN  
BRIAN C BROWN  
3339 PATTIE PL  
PALM HARBOR, FL 34685-2112

PNU2024-01448

ADDRESS OR LOCATION OF VIOLATION: 1721 LUCAS DR  
PARCEL: 05-29-16-94374-005-0240  
LEGAL DESCRIPTION: VIRGINIA GROVE TERRACE 3RD ADD BLK 5, LOTS 24 AND 25

DATE OF INSPECTION: 1/6/2025

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: THE ENTIRE PROEPRTY NEEDS TO BE CUT AND MAINTAINED ON A REGULAR BASIS. ALL DEBRIS INCLUDING FENCE SECTIONS AND TREE MATERIAL NEED TO BE REMOVED.

**THIS VIOLATION SHALL BE CORRECTED BY 1/15/2025**

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.



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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.

*Vicki Sudduth*

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Vicki Sudduth Code Inspector  
727-444-8724  
vicki.sudduth@myclearwater.com

Date Printed: 1/6/2025

## 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, curblin 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.

Shopping carts or parts thereof which are stored in a lawful manner on private property in connection with the business of a licensed dismantler or junk dealer when such storage is necessary to the operation of a lawfully conducted business.

12. *Newsracks and vending machines.* Any newsrack on public property not in compliance with the provisions of section 3-909, other than subsection 3-909(A)(5), or any newsrack or vending machine installed, used or maintained at a location which constitutes an imminent danger or safety hazard to pedestrians or vehicles or otherwise unreasonably interferes with the safe use of any public right-of-way.
13. *Seawalls.* Any seawall in a condition where the structural integrity is not maintained.
14. *Graffiti.* Graffiti on any wall, post, column, or other building or structure, or to a tree, or other exterior surface, publicly or privately owned, within the City of Clearwater.

C. Violations of this Section may be enforced by action before the municipal code enforcement board as "nuisance cases" or "non-nuisance cases" pursuant to the corresponding procedures set forth in Section 7-102, or by citation pursuant to Code of Ordinances Section 1.12.

(Ord. No. 6417-99, § 9, 8-19-99; Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 6573-00, § 2, 8-3-00; Ord. No. 6928-02, §§ 76—79, 5-2-02; Ord. No. 7449-05, §§ 21—23, 12-15-05; Ord. No. 7605-06, § 27, 4-20-06; Ord. No. 8211-10, § 12, 10-5-10)

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

City Case Number: PNU2024-01448

Site of Violation: 1721 LUCAS DR

1. Vicki Sudduth, being first duly sworn, deposes and says:
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 6th day of January, 2025, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 1721 LUCAS DR, Clearwater, Florida.

Vicki Sudduth

Vicki Sudduth Code Inspector  
727-444-8724  
vicki.sudduth@myclearwater.com

RECEIVED

JAN 06 2025

CITY CLERK DEPARTMENT

STATE OF FLORIDA  
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of physical presence or \_\_\_\_\_ online notarization on this 6th day of January, 2025, by Vicki Sudduth.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

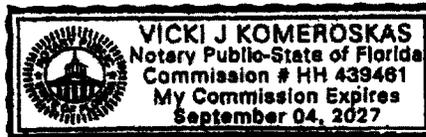
Vicki Sudduth

\_\_\_\_\_  
Type of Identification

(Notary Signature)

Vicki Komeruskas

Name of Notary (typed, printed, stamped)





Parcel Summary (as of 14-Jan-2025)

Parcel Map

Parcel Number

**05-29-16-94374-005-0240**

Owner Name

BROWN, LINDA R  
BROWN, BRIAN C

Property Use

0110 Single Family Home

Site Address

1721 LUCAS DR  
CLEARWATER, FL 33759

Mailing Address

3339 PATTIE PL  
PALM HARBOR, FL 34685-2112

Legal Description

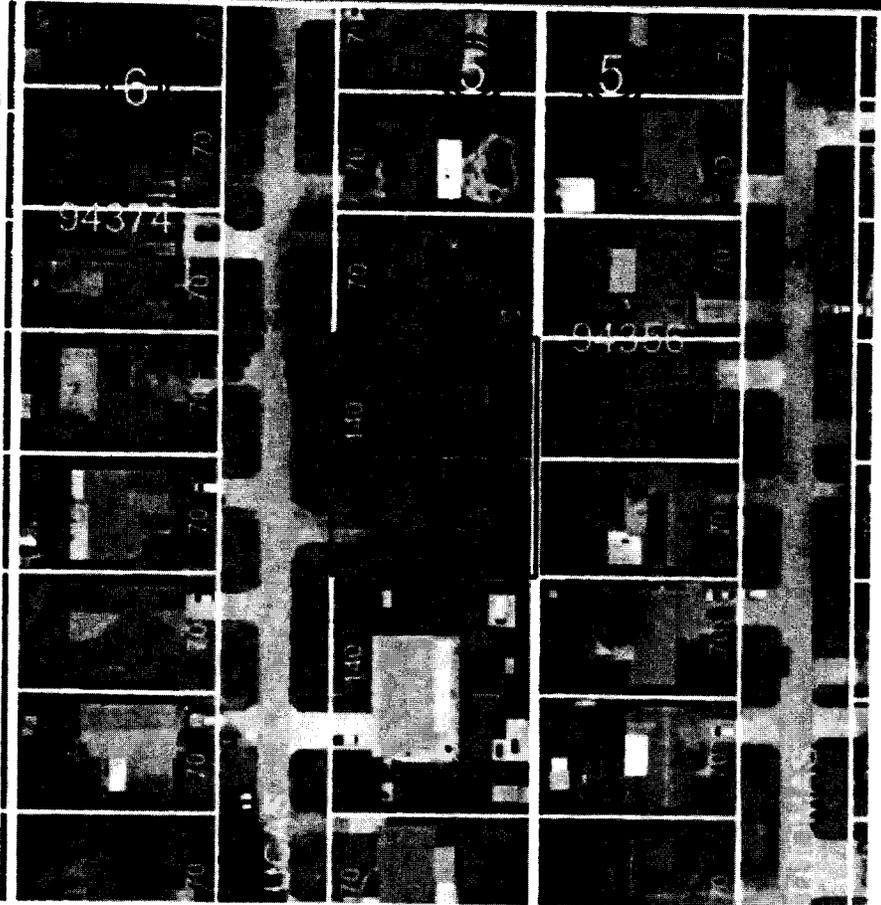
VIRGINIA GROVE TERRACE 3RD ADD BLK 5, LOTS 24 AND 25

Current Tax District

CLEARWATER (CW)

Year Built

1957



Living SF	Gross SF	Living Units	Buildings
1,408	2,366	1	1

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
16023/0371	\$480,600	<u>268.04</u>	<u>NON EVAC</u>	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	37/74

2024 Final Values

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2024	\$409,426	\$248,814	\$248,814	\$409,426	\$248,814

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	\$384,399	\$226,195	\$226,195	\$384,399	\$226,195
2022	N	\$361,304	\$205,632	\$205,632	\$361,304	\$205,632
2021	N	\$287,276	\$186,938	\$186,938	\$287,276	\$186,938
2020	N	\$234,271	\$169,944	\$169,944	\$234,271	\$169,944
2019	N	\$179,274	\$154,495	\$154,495	\$179,274	\$154,495