

**.NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 150-24**

Certified Mail
September 13, 2024

Owner: **Carucci Development LLC**
51 Verbena St
Clearwater, FL 33767

Violation Address: **51 Verbena St**
05-29-15-54666-023-0070

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, October 23, 2024, 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) **3-1503.A, 3-1503.B.1., 3-1503.B.2., 3-1503.B.3., and 3-1503.B.9.** 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

NAME OF VIOLATOR: CARUCCI DEVELOPMENT LLC
MAILING ADDRESS: 51 VERBENA ST
CLEARWATER, FL 33767
CITY CASE#: PNU2024-00850

VIOLATION ADDRESS: 51 VERBENA ST
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 7/23/2024

LEGAL DESCRIPTION OF PROPERTY: MANDALAY SUB BLK 23, LOT 7 AND 5FT X 110FT T/A IN
NW COR OF LOT 8

PARCEL #: 05-29-15-54666-023-0070

DATE OF INSPECTION: 7/23/2024 9:21:00 AM

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

3-1503.A. - ****NUISANCE**** No person owning, leasing, operating, occupying or having control of any premises within the City shall maintain, keep or permit any nuisance (as defined in Section 8-102.) affecting the citizens of the City.

3-1503.B.1. - ****PUBLIC NUISANCE CONDITION**** A condition or use that exists on this property causes a substantial diminution of value of property in the vicinity of this condition or use and is considered a public nuisance.

3-1503.B.2. - ****ABANDONED BUILDINGS**** Buildings which are abandoned, boarded up, partially destroyed, or left for a period of six (6) months in a state of partial construction are declared to be a public nuisance.

3-1503.B.3. - ****ATTRACTIVE NUISANCE**** Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.

3-1503.B.9. - ****Other Nuisance Condition**** 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.

SPECIFICALLY,

Please either complete your permit for reconstructing this home or completely demolish the structure to come into compliance.

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



Daniel Kasman

SWORN AND SUBSCRIBED before me by means of physical presence or _____ online notarization on this 6th day of September, 2024, by Daniel Kasman.

STATE OF FLORIDA
COUNTY OF PINELLAS

- PERSONALLY KNOWN TO ME
 PRODUCED AS IDENTIFICATION

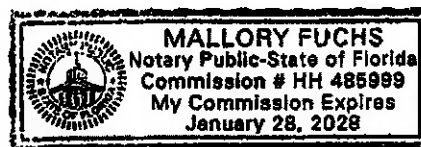
Type of Identification



(Notary Signature)



Mallory Fuchs



Name of Notary (typed, printed, stamped)

FILED THIS 10 DAY OF September, 2024

MCEB CASE NO. 150-24

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

CARUCCI DEVELOPMENT LLC
51 VERBENA ST
CLEARWATER, FL 33767

PNU2024-00850

ADDRESS OR LOCATION OF VIOLATION: 51 VERBENA ST

LEGAL DESCRIPTION: MANDALAY SUB BLK 23, LOT 7 AND 5FT X 110FT T/A IN
NW COR OF LOT 8

DATE OF INSPECTION: 7/23/2024

PARCEL: 05-29-15-54666-023-0070

Section of City Code Violated:

3-1503.A. - ****NUISANCE**** No person owning, leasing, operating, occupying or having control of any premises within the City shall maintain, keep or permit any nuisance (as defined in Section 8-102.) affecting the citizens of the City.

3-1503.B.1. - ****PUBLIC NUISANCE CONDITION**** A condition or use that exists on this property causes a substantial diminution of value of property in the vicinity of this condition or use and is considered a public nuisance.

3-1503.B.2. - ****ABANDONED BUILDINGS**** Buildings which are abandoned, boarded up, partially destroyed, or left for a period of six (6) months in a state of partial construction are declared to be a public nuisance.

3-1503.B.3. - ****ATTRACTIVE NUISANCE**** Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.

3-1503.B.9. - ****Other Nuisance Condition**** 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.

Specifically: Please either complete your permit for reconstructing this home or completely demolish the structure to come into compliance.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 8/23/2024. 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.

Daniel Kasman

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

Date Printed: 7/23/2024

NOV_PrapOwn

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.

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

City Case Number: PNU2024-00850

Site of Violation: 51 VERBENA ST

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 23rd day of July, 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 51 VERBENA ST, Clearwater, Florida.



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

RECEIVED

JUL 23 2024

CITY CLERK DEPARTMENT

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of e physical presence or _____ online notarization on this 23rd day of July, 2024, by Daniel Kasman.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

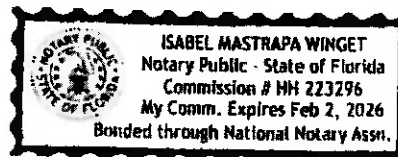


Type of Identification

(Notary Signature)

Isabel M. Winget

Name of Notary (typed, printed, stamped)





Parcel Summary (as of 06-Sep-2024)

Parcel Number

05-29-15-54666-023-0070

Owner Name

CARUCCI DEVELOPMENT LLC

Property Use

0110 Single Family Home

Site Address

51 VERBENA ST
CLEARWATER, FL 33767

Mailing Address

51 VERBENA ST
CLEARWATER, FL 33767-1338

Legal Description

MANDALAY SUB BLK 23, LOT 7 & THAT PART OF LOT 8 DESC AS BEG NE COR OF SD LOT 8 TH W'LY ALG N LOT LINE 110FT TH S'LY ALG W LOT LINE 5.02FT TH NE'LY 110

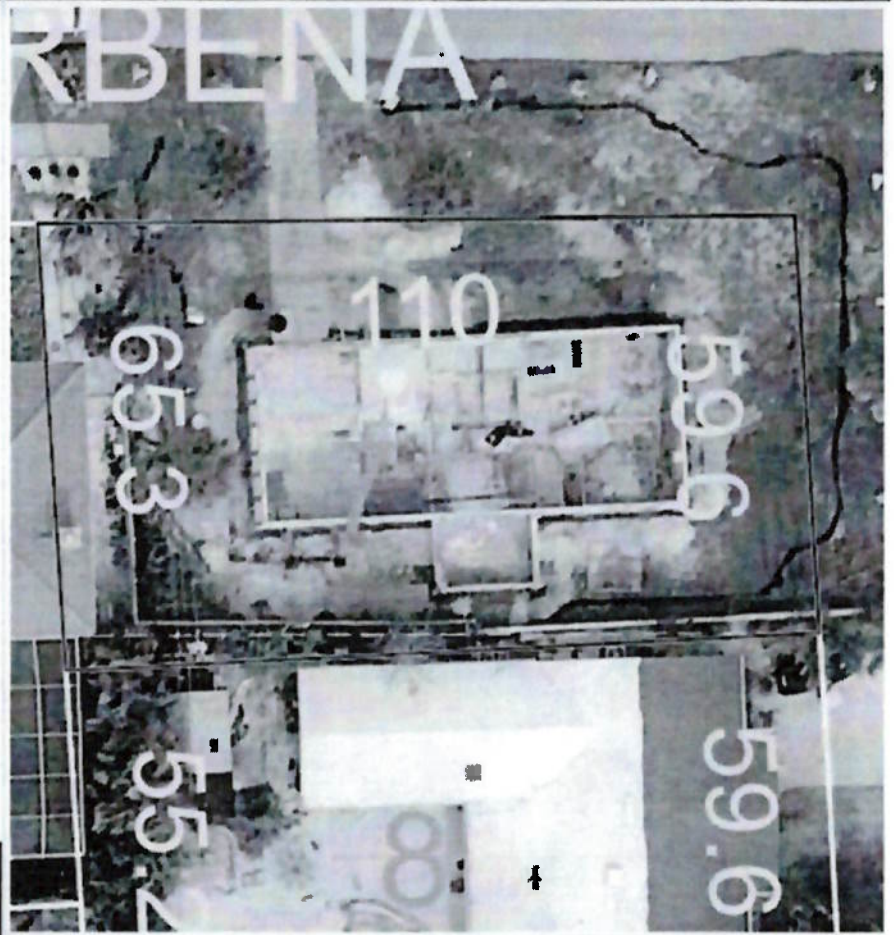
Current Tax District

CLEARWATER (CW)

Year Built

1952

Parcel Map



Living SF	Gross SF	Living Units	Buildings
1,291	1,777	1	1

Exemptions

Year	Homestead	Use %	Status	Property Exemptions & Classifications
2025	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).
2024	No	0%		
2023	No	0%		

Miscellaneous Parcel Info

Last Recorded Date	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
22802/0900	\$632,400	<u>260.04</u>	A	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	14/32

2024 Preliminary Values

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2024	\$541,591	\$541,591	\$541,591	\$541,591	\$541,591

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	\$563,712	\$563,712	\$563,712	\$563,712	\$563,712
2022	N	\$561,677	\$561,677	\$561,677	\$561,677	\$561,677
2021	N	\$417,405	\$417,405	\$417,405	\$417,405	\$417,405
2020	N	\$438,885	\$379,491	\$379,491	\$438,885	\$379,491