

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

City Case Number: PNU2023-00705

NAME OF VIOLATOR: RAD DIVERSIFIED REIT INC
MAILING ADDRESS: 7 ST PAUL ST STE 820
BALTIMORE, MD 21202-1681

VIOLATION ADDRESS: 1108 SPENCER AVE

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

PARCEL #: 14-29-15-52344-000-0440

DATE OF INSPECTION: 8/10/2023 12:21:00 PM

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

3-1503.B.5. - **PUBLIC HEALTH, SAFETY OR WELFARE NUISANCE** 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.

David Jehnzen

David Jehnzen

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of physical presence or online notarization on this 11th day of September, 2023, by David Jehnzen.

- PERSONALLY KNOWN TO ME
- PRODUCED AS IDENTIFICATION

Alicia L. Robinson

(Notary Signature)

ALICIA L. ROBINSON

Type of Identification



Name of Notary (typed, printed, stamped)

FILED THIS 20th DAY OF September, 20 23

MCEB CASE NO. 112-23

Whitney 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

RAD DIVERSIFIED REIT INC
7 ST PAUL ST STE 820
BALTIMORE, MD 21202-1681

PNU2023-00707

ADDRESS OR LOCATION OF VIOLATION: **1108 SPENCER AVE**

LEGAL DESCRIPTION: LIVE OAK ESTATES LOT 44

DATE OF INSPECTION: 8/10/2023

PARCEL: 14-29-15-52344-000-0440

Section of City Code Violated:

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.

Specifically: Abandoned building: During a recent inspection, the above listed conditions existed at this property and must be addressed in accordance with the property maintenance ordinances. The building and or structure on your property shows signs of being deserted by the owner and left unsecured and is not being maintained. Evidence of desertion and lack of maintenance shall include, but not be limited to: unaddressed code violation; lack of required building permits or certificate of occupancy; lack of business tax receipt; and lack of active utilities. Please bring property into compliance have the property occupied, OR have the property sold, OR demolished by the compliance date to avoid further action and/or fines. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 8/24/2023. 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.

David Jehnzen Code Inspector
727-444-8716
david.jehnzen@myclearwater.com

Date Printed: 8/10/2023

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.

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: PNU2023-00702

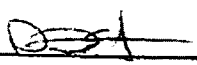
Site of Violation: 1108 SPENCER AVE

RECEIVED

AUG 10 2023

CITY CLERK DEPARTMENT

1. David Jehnzen, being first duly sworn, deposes and says:
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 10th day of August, 2023, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 1108 SPENCER AVE, Clearwater, Florida.



 David Jehnzen Code Inspector
 727-562-4711
 david.jehnzen@myclearwater.com

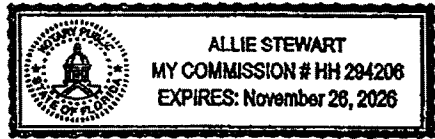
STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 10th day of August, 2023, by David Jehnzen.

- PERSONALLY KNOWN TO ME
 PRODUCED AS IDENTIFICATION

Allie Stewart _____
 (Notary, Signature) Type of Identification

Allie Stewart
 Name of Notary (typed, printed, stamped)



14-29-15-52344-000-0440

Compact Property Record Card

Tax Estimator

Updated September 9, 2023

Email Print

Radius Search

FEMA.WLM

Ownership/Mailing Address Change Mailing Address	Site Address
RAD DIVERSIFIED REIT INC 7 ST PAUL ST STE 820 BALTIMORE MD 21202-1681	1108 SPENCER AVE CLEARWATER



Property Use: 0110 (Single Family Home) Current Tax District: CLEARWATER (CW) Total Living: SF: 2,223 Total Gross SF: 3,226 Total Living Units: 1

[click here to hide] Legal Description
LIVE OAK ESTATES LOT 44

Tax Estimator <input checked="" type="checkbox"/> File for Homestead Exemption	2023 Parcel Use																			
<table border="1"> <tr> <th>Exemption</th> <th>2023</th> <th>2024</th> </tr> <tr> <td>Homestead:</td> <td>No</td> <td>No</td> </tr> <tr> <td>Government:</td> <td>No</td> <td>No</td> </tr> <tr> <td>Institutional:</td> <td>No</td> <td>No</td> </tr> <tr> <td>Historic:</td> <td>No</td> <td>No</td> </tr> </table>	Exemption	2023	2024	Homestead:	No	No	Government:	No	No	Institutional:	No	No	Historic:	No	No	<table border="1"> <tr> <td>Homestead Use Percentage: 0.00%</td> </tr> <tr> <td>Non-Homestead Use Percentage: 100.00%</td> </tr> <tr> <td>Classified Agricultural: No</td> </tr> </table>		Homestead Use Percentage: 0.00%	Non-Homestead Use Percentage: 100.00%	Classified Agricultural: No
Exemption	2023	2024																		
Homestead:	No	No																		
Government:	No	No																		
Institutional:	No	No																		
Historic:	No	No																		
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 <small>(NOT the same as a FEMA Flood Zone)</small>	Flood Zone <small>(NOT the same as your evacuation zone)</small>	Plat Book/Page
22193/0096	\$492,700 Sales Query	121030265011	NON EVAC	Current FEMA Maps	62/15

2023 Preliminary Value Information					
Year	Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	\$420,019	\$420,019	\$420,019	\$420,019	\$420,019

[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
2022	Yes	\$311,248	\$171,221	\$121,221	\$146,221	\$121,221
2021	Yes	\$269,303	\$166,234	\$116,234	\$141,234	\$116,234
2020	Yes	\$260,915	\$163,939	\$113,939	\$138,939	\$113,939
2019	Yes	\$251,273	\$160,253	\$110,253	\$135,253	\$110,253
2018	Yes	\$229,632	\$157,265	\$107,265	\$132,265	\$107,265
2017	Yes	\$219,259	\$154,030	\$104,030	\$129,030	\$104,030
2016	Yes	\$208,820	\$150,862	\$100,862	\$125,862	\$100,862
2015	Yes	\$190,727	\$149,813	\$99,813	\$124,813	\$99,813
2014	Yes	\$187,117	\$148,624	\$98,624	\$123,624	\$98,624
2013	Yes	\$147,478	\$146,428	\$96,428	\$121,428	\$96,428
2012	Yes	\$143,980	\$143,980	\$93,980	\$118,980	\$93,980
2011	Yes	\$150,546	\$149,662	\$99,662	\$124,662	\$99,662
2010	Yes	\$161,374	\$147,450	\$97,450	\$122,450	\$97,450
2009	Yes	\$178,948	\$143,574	\$93,574	\$118,574	\$93,574
2008	Yes	\$213,700	\$143,431	\$93,431	\$118,431	\$93,431
2007	Yes	\$259,300	\$139,253	\$114,253	N/A	\$114,253
2006	Yes	\$238,600	\$135,857	\$110,857	N/A	\$110,857
2005	Yes	\$193,100	\$131,900	\$106,900	N/A	\$106,900
2004	Yes	\$191,600	\$128,100	\$103,100	N/A	\$103,100
2003	Yes	\$154,800	\$125,400	\$100,400	N/A	\$100,400
2002	Yes	\$147,700	\$122,500	\$97,500	N/A	\$97,500
2001	Yes	\$130,000	\$120,600	\$95,600	N/A	\$95,600
2000	Yes	\$124,800	\$117,100	\$92,100	N/A	\$92,100
1999	Yes	\$116,200	\$114,100	\$89,100	N/A	\$89,100
1998	Yes	\$112,300	\$112,300	\$87,300	N/A	\$87,300
1997	Yes	\$112,400	\$110,900	\$85,900	N/A	\$85,900
1996	Yes	\$109,600	\$107,700	\$82,700	N/A	\$82,700

2022 Tax Information	
2022 Tax Bill	Tax District: CW
2022 Final Millage Rate	19.3921
Do not rely on current taxes as an estimate following a change in ownership. A significant change in taxable value may occur after a transfer due to a loss of	

Ranked Sales (What are Ranked Sales?) See all transactions					
Sale Date	Book/Page	Price	Q/U	V/I	
25 Aug 2022	22193 / 0096	\$435,000	Q	I	
22 Aug 2022	22188 / 0895	\$377,500	Q	I	
16 Nov 1987	06622 / 1328	\$125,000	Q		
1976	04459 / 0812	\$58,000	Q		

PN 7024707 F7054C0C1250

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.

1. /

**RAD DIVERSIFIED REIT INC
7 ST PAUL ST STE 820
BALTIMORE MD 21202-1681**



9590 9402 5668 9308 1337 70

2. Article Number (Transfer from service label)

7019 2970 0001 6084 1780

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent
 Addressee

B. Received by (Printed Name) *LAND* C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

AUG 18 2023

3. Service Type
- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Mail Restricted Delivery | |