NOTICE OF HEARING MUNICIPAL CODE ENFORCEMENT BOARD CITY OF CLEARWATER, FLORIDA Case 158-25

Certified Mail
October 10, 2025

Owner: Downtown Clearwater Dev LLC

34 N Garden Ave.

Clearwater, FL 33755-4115

Violation Address: 814 Cleveland St., Clearwater

15-29-15-53928-004-0000

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday**, **November 19**, **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) **3-1204.A**, **3-1204.B**, **3-1204.J**, **3-1204.L**, **3-1204.M**, **& 3-1205.D** 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: CDC2025-00047

NAME OF VIOLATOR:

DOWNTOWN CLEARWATER DEV LLC

MAILING ADDRESS:

34 GARDEN AVE

CLEARWATER, FL, 33755

VIOLATION ADDRESS: 814 CLEVELAND ST

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

PARCEL #: 15-29-15-53928-004-0000

DATE OF INSPECTION: 10/6/2025 3:39:00 PM

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

- 3-1204.A. **LANDSCAPE PLAN** All required landscaping shall be installed in accordance with an approved landscape plan, including all specified conditions to a particular development approval, and inspected prior to the issuance of a certificate of occupancy. In the event there are any changes to the approved landscape plan, such changes must be reviewed and approved and noted on the plan prior to notification for the final inspection for a certificate of occupancy.
- 3-1204.B. **LANDSCAPE COVER** All landscaped areas must be covered with shrubs, ground cover, turf, three inches of organic mulch or other suitable material which permits percolation. Where mulch is used, it must be protected from washing out of the planting bed. Inorganic mulch, such as gravel or rock, should only be used where washouts occur. Plastic sheets shall not be installed under mulches.
- 3-1204.J **SHADE TREES** Required shade trees planted shall not be topped, shaped or severely pruned, but must be allowed to grow to maturity and attain their natural form so that crown development is not inhibited.
- 3-1204.L. **DEAD, DECLINING, MISSING AND DISEASED PLANT MATERIAL** shall be replaced with healthy material of similar type in keeping with the landscaping requirements at the time of original planting and in accordance with the approved landscape plan.
- 3-1204.M. **LANDSCAPE INSPECTIONS** Landscaping will be inspected periodically by the City, but not less frequently than every three years to ensure that proper maintenance is provided.

3-1205.D. - **Tree and palm requirements and replacements** Tree and palm replacements shall be in compliance with Section 3-1202(B)(1) and the following:

Robert Robicheau

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of _____ physical presence or ____ online notarization on this 6th day of October, 2025, by Robert Robicheau.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION _____

3alha-	Type of Identification	ZACHARY J SMITH Notary Public-State of F. 19
(Notary Signature)		Commission Exp
Zachary J. SMith	-	August 04, 2029
Name of Notary (typed, printed, stamped) FILED THIS DAY OF OCTO be	26	. 20 <u>25</u>
	MCEB CASE	No. 158:25
	Secretary, Municipa	I 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

DOWNTOWN CLEARWATER DEV LLC 519 CLEVELAND ST STE 103 CLEARWATER, FL 33755-4009

CDC2025-00047

ADDRESS OR LOCATION OF VIOLATION: 8

814 CLEVELAND ST

LEGAL DESCRIPTION: MCMULLEN'S, SARAH SUB BLK 4 & LAND TO W S OF LAURA ST DESC FR NW COR OF SEC RUN S 629.94FT & E 30 FT FOR POB TH

CONT E 360FT THIS 253.92FT THIW 360FT THIN 256.45FT TO POB

DATE OF INSPECTION: 1/7/2025

PARCEL: 15-29-15-53928-004-0000

Section of City Code Violated:

3-1204.A. - **LANDSCAPE PLAN** All required landscaping shall be installed in accordance with an approved landscape plan, including all specified conditions to a particular development approval, and inspected prior to the issuance of a certificate of occupancy. In the event there are any changes to the approved landscape plan, such changes must be reviewed and approved and noted on the plan prior to notification for the final inspection for a certificate of occupancy.

3-1204.B. - **LANDSCAPE COVER** All landscaped areas must be covered with shrubs, ground cover, turf, three inches of organic mulch or other suitable material which permits percolation. Where mulch is used, it must be protected from washing out of the planting bed. Inorganic mulch, such as gravel or rock, should only be used where washouts occur. Plastic sheets shall not be installed under mulches.

3-1204.J - **SHADE TREES** Required shade trees planted shall not be topped, shaped or severely pruned, but must be allowed to grow to maturity and attain their natural form so that crown development is not inhibited.

3-1204.L. - **DEAD, DECLINING, MISSING AND DISEASED PLANT MATERIAL** shall be replaced with healthy material of similar type in keeping with the landscaping requirements at the time of original planting and in accordance with the approved landscape plan.

3-1204.M. - **LANDSCAPE INSPECTIONS** Landscaping will be inspected periodically by the City, but not less frequently than every three years to ensure that proper maintenance is provided.

3-1205.D. - **Tree and palm requirements and replacements** Tree and palm replacements shall be in compliance with Section 3-1202(B)(1) and the following:

Specifically: Replace missing shrubs and ground covers throughout property. Remove all brazilian pepper growing throughout property.

Remove and replace declining holly on northern landscape island.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 3/7/2025. 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.



Date Printed: 2/7/2025

CITY OF CLEARWATER

POST OFFICE BOX 4748, CLEARWATER, ELORIDA 33758-4748

TO SOLUTION DEPOSITION OF THE PROPERTY OF THE PROPER Municipal Services Building, 100 South Myrtle Avenue, Clearwater, Florida 33756 Telephone (727) 562-4720 Fax (727) 562-4735

Robert Robicheau

Land Development Arborist

727-444-7961

robert.robicheau@myclearwater.com

Section 3-1204. - Installation and maintenance.

- A. All required landscaping shall be installed in accordance with an approved landscape plan, including all specified conditions to a particular development approval, and inspected prior to the issuance of a certificate of occupancy or certificate of completion. In the event there are any changes to the approved landscape plan, such changes must be reviewed and approved and noted on the plan prior to notification for the final inspection for a certificate of occupancy or certificate of completion.
- B. All landscaped areas must be covered with shrubs, ground cover, natural turf, three inches of organic mulch, artificial turf (where permissible), or other suitable material which permits percolation.
- 1. Where mulch is used, it must be protected from washing out of the planting bed.
- 2. Landscape rock with a minimum size or ¾ inch to one inch in diameter shall be used to redirect stormwater from gutter systems to prevent erosion.
- 3. Plastic sheets shall not be installed under mulches.
- 4. Artificial turf shall be installed according to the standards in Section 3-1203.
- L. Dead, declining, missing and diseased plant material shall be replaced with healthy material of similar type in keeping with the landscaping requirements at the time of original planting and in accordance with the approved landscape plan.
- M. Landscaping will be inspected periodically by the City, but not less frequently than every three years to ensure that proper maintenance is provided.

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

City Case Number: CDC2025-00047

Site of Violation: 814 CLEVELAND ST

- 1. Robert Robicheau, being first duly swom, deposes and says:
- 2. That I am a Land Development Arborist employed by the City of Clearwater.
- 3. That on the 7th day of February, 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 814 CLEVELAND ST, Clearwater, Florida.

Robert Robicheau Land Development Arborist 727-444-7961

robert.robicheau@myclearwater.com

RECEIVED

FEB 0 7 2025

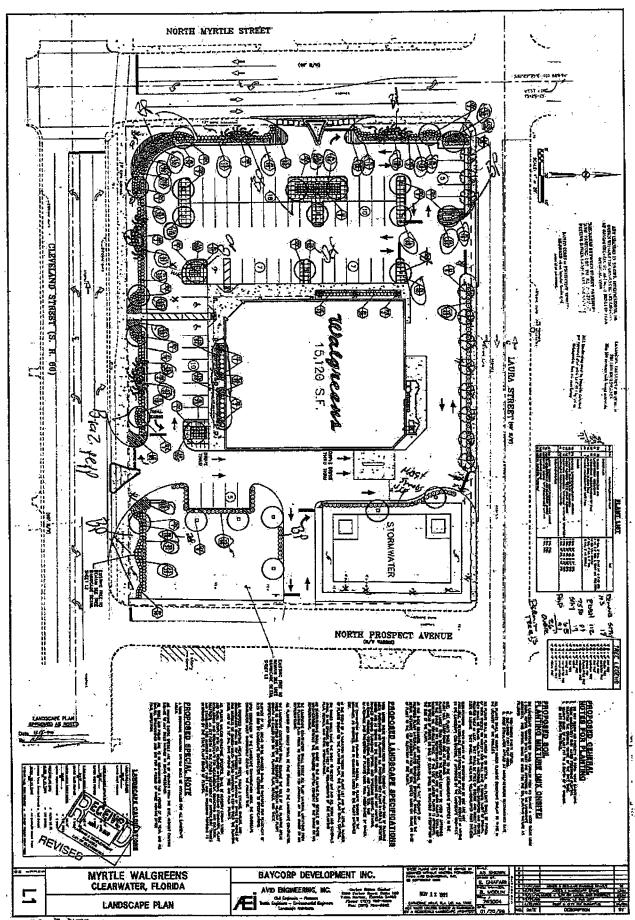
CITY CLERK DEPARTMENT

STATE OF FLORIDA COUNTY OF PINELLAS	
SWORN AND SUBSCRIBED before me by m notarization on this 7th day of February, 2025,	eans of physical presence or online , by Robert Robicheau.
PERSONALLY KNOWN TO ME	
PRODUCED AS IDENTIFICATION	Type of Identification
Notary Signature DOUBLE CEMERALE III MY COMMISSION # HH 350436 EXPIRES INNER 17, 2027	Type of Identification
Nam	

SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY ★ Signature Complete items 1, 2, and 3. ☐ Agent ■ Print your name and address on the reverse X ☐ Addressee so that we can return the card to you. B. Received by Printed Harnet C. Date of Delivery Attach this card to the back of the mailpiece, 02/13/20 or on the front if space permits. 1. Article Addressed to: D. Is delivery address different from item 1? Yes If YES, enter delivery address below: ☐ No Dountain Clearwater Dev LLC 519 Cleveland St. Ste 103 Clearwater, FL 33765-4009

3. Service Type
☐ Adult Signature

☐ Priority Mail Express®



**

Parcel Summary (as of 06-Oct-2025)

Parcel Map

Parcel Number

15-29-15-53928-004-0000

Owner Name

DOWNTOWN CLEARWATER DEVILLO

Property Use

1120 Single Building Store

Site Address

814 CLEVELAND ST

CLEARWATER, FL 33755

Mailing Address

34 N GARDEN AVE

CLEARWATER, FL 33755-4115

Legal Description

MCMULLEN'S, SARAH SUB PART OF BLK 4

TOGETHER WITH LAND TO W S OF LAURA ST ALL BEING DESC AS FROM NW COR OF SEC 15-29-15 TH

S01D27'35"E ALG W SEC LINE

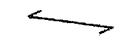
Current Tax District

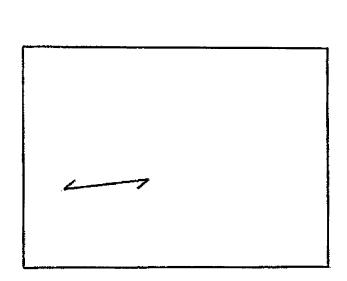
CLEARWATER DOWNTOWN (CWD)

Year Built

2000

Heated SF	Gross SF	Living Units	Buildings	
14,891	16,573	0	1	





			Exemptions			
Year	Homestead	Use %	Status Status	Prope		
2027	No	0%		No Pro		
2026	No	0%		fou		
2025	Na.	AOV				
4043	140	U70	The first of the state of the s	W		

erty Exemptions & Classifications operty Exemptions or Classifications und. Pléase note that Ownership xemptions (Homestead, Senior, Vidow/Widower, Veterans, First Responder, etc... will not display here).

Miscellaneous Parcel Info							
Last Recorded See Sales	Census Tract	Evacuation	Flootizone	Elevation	Zonina	Diacet/0-	
Deed Comparison		Zone		Certificate			
20195/2100 Find Comps	<u>259.02</u>	NON EVAC	Current FEMA Maps	Check for EC	Zoning Map	1/41	:

		2025 Final Values		
ar - Just/Market Value	Assessed Value/SO!: Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
33.350.000	\$3,350,000	\$3.350.000	\$3,350,000	\$3,350,000

Value History (yellow indicates corrected value)							
Year	Homestead		ssessed Value/SOF	l County Jaxable	School Taxable	Municipal Taxable	
	Exemption	. Value:	C ep .	Value	Value	. Value	
2024	N ex essencial de lorge de segue de lorge de la compa	\$3,350,000	\$3,173,500	\$3,173,500	\$3,350,000	\$3,173,500	
2023	N	\$2,885,000	\$2,885,000	\$2,885,000	\$2,885,000	\$2,885,000	
2022	N	\$2,850,000	\$2,850,000	\$2,850,000	\$2,850,000	\$2,850,000	
2021	M. P	\$2,600,000	\$2,600,000	\$2,600,000	\$2,600,000	\$2,600,000	