

**NOTICE OF HEARING  
MUNICIPAL CODE ENFORCEMENT BOARD  
CITY OF CLEARWATER, FLORIDA  
Case 51-26**

**Certified Mail**

**February 13, 2026**

**Owner: Cleveland St East LLC  
19426 Whispering Brook Dr.  
Tampa, FL 33647**

**Violation Address: 3087 Cherry Ln., Clearwater  
16-29-19-00000-220-4100**

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, March 25, 2026, 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) **1-104.B & 6-102.C** 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: HOLMES, DELTWAIN  
MAILING ADDRESS: 19426 WHISPERING BROOK DR. CITY CASE#: CDC2025-02000  
TAMPA FL, 33647

VIOLATION ADDRESS: 3087 CHERRY LN  
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 12/31/2025

LEGAL DESCRIPTION OF PROPERTY: W 57.05FT OF E 219.05FT OF N 100FT OF S 110FT OF S  
1/2 OF SE 1/4 OF NW 1/4 OF NW 1/4 OF SEC 16-29-16

PARCEL #: 16-29-16-00000-220-4100

DATE OF INSPECTION: 2/2/2026 2:25:00 PM

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

1-104.B. - **\*\*DEVELOPMENT CODE VIOLATION\*\*** No building, structure, water or land shall be used or occupied, and no building, structure, or land shall be developed unless in conformity with all of the provisions of the zoning district in which it is located, all applicable regulations, and all development approvals.

6-102.C. **\*\*NONCONFORMING STRUCTURES\*\*** A nonconforming structure shall not be altered, enlarged or changed in any way that increases its nonconformity. Any structure or site improvement may, however, be altered to decrease its nonconformity.

SPECIFICALLY,

Your Property is zoned LMDR which has a maximum height of 30 feet. The current structure already exceeds that height and any additional structures not permitted by code would count towards the max height, and thus would be expanding the nonconformity. The Height, building or structure, means for buildings, the vertical distance from the mean elevation of the existing grade to the highest finished roof surface in the case of a building with a flat roof, or the vertical distance from the existing grade to a point representing the midpoint of the peak and eave heights of the main roof structure of the roof of a building having a pitched roof. For other structures, the vertical distance from existing grade to the highest point of the structure above such existing grade. Where minimum floor elevations in flood prone areas have been established by law, the building height may be measured as though the required minimum floor elevations constitute existing grade. In addition,

(1) linear radio and television antennas shall be permitted to project ten feet higher than the maximum height otherwise specified for the zoning district within which the antenna is located. Parabolic and other geometrically shaped antenna shall not be permitted this height increase.

(2) Flagpoles located on top of buildings shall be permitted to project ten feet higher than the maximum height otherwise specified for the zoning district assigned to the property.

(3) Elevator equipment rooms and like mechanical equipment enclosures shall be permitted to project up to 16 feet higher than the maximum height otherwise specified for the zoning district assigned to the property.

(4) Parapet walls constructed on buildings with flat roofs shall be permitted to extend not higher than 42 inches over the maximum height specified for the zoning district in which the building is located.

(5) Structures permanently affixed to the roof that accommodate rooftop occupancy shall only be permitted if within the maximum allowable height.

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

  
John Stephens

SWORN AND SUBSCRIBED before me by means of  physical presence or  online  
notarization on this 2nd day of February, 2026, by John Stephens.

STATE OF FLORIDA  
COUNTY OF PINELLAS

- PERSONALLY KNOWN TO ME  
 PRODUCED AS IDENTIFICATION

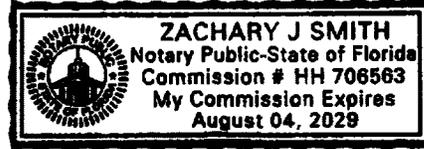
Zach Smith

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

(Notary Signature)

Zachary J. Smith

Name of Notary (typed, printed, stamped)



FILED THIS 11<sup>th</sup> DAY OF February, 2026

MCEB CASE NO. 51-26

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

HOLMES, DELTWIN  
19426 WHISPERING BROOK DR.  
TAMPA, FL, 33647

**CDC2025-02000**

ADDRESS OR LOCATION OF VIOLATION: **3087 CHERRY LN**

LEGAL DESCRIPTION: W 57.05FT OF E 219.05FT OF N 100FT OF S 110FT OF S  
1/2 OF SE 1/4 OF NW 1/4 OF NW 1/4 OF SEC 16-29-16

DATE OF INSPECTION: 12/30/2025

PARCEL: 16-29-16-00000-220-4100

### Section of City Code Violated:

1-104.B. - **\*\*DEVELOPMENT CODE VIOLATION\*\*** No building, structure, water or land shall be used or occupied, and no building, structure, or land shall be developed unless in conformity with all of the provisions of the zoning district in which it is located, all applicable regulations, and all development approvals.

6-102.C. **\*\*NONCONFORMING STRUCTURES\*\*** A nonconforming structure shall not be altered, enlarged or changed in any way that increases its nonconformity. Any structure or site improvement may, however, be altered to decrease its nonconformity.

Specifically: Your Property is zoned LMDR which has a maximum height of 30 feet. The current structure already exceeds that height and any additional structures not permitted by code would count towards the max height, and thus would be expanding the nonconformity. The Height, building or structure, means for buildings, the vertical distance from the mean elevation of the existing grade to the highest finished roof surface in the case of a building with a flat roof, or the vertical distance from the existing grade to a point representing the midpoint of the peak and eave heights of the main roof structure of the roof of a building having a pitched roof. For other structures, the vertical distance from existing grade to the highest point of the structure above such existing grade. Where minimum floor elevations in flood prone areas have been established by law, the building height may be measured as though the required minimum floor elevations constitute existing grade. In addition,

- (1) linear radio and television antennas shall be permitted to project ten feet higher than the maximum height otherwise specified for the zoning district within which the antenna is located. Parabolic and other geometrically shaped antenna shall not be permitted this height increase.
- (2) Flagpoles located on top of buildings shall be permitted to project ten feet higher than the maximum height otherwise specified for the zoning district assigned to the property.
- (3) Elevator equipment rooms and like mechanical equipment enclosures shall be permitted to project up to 16 feet higher than the maximum height otherwise specified for the zoning district assigned to the property.
- (4) Parapet walls constructed on buildings with flat roofs shall be permitted to extend not higher than 42 inches over the maximum height specified for the zoning district in which the building is located.
- (5) Structures permanently affixed to the roof that accommodate rooftop occupancy shall only be permitted if within the maximum allowable height.



# 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

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 1/31/2026. 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.

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John Stephens

Code Inspector

727-444-8719

[john.stephens@myclearwater.com](mailto:john.stephens@myclearwater.com)

Date Printed: 12/31/2025

Section 1-104. - Jurisdiction and applicability.

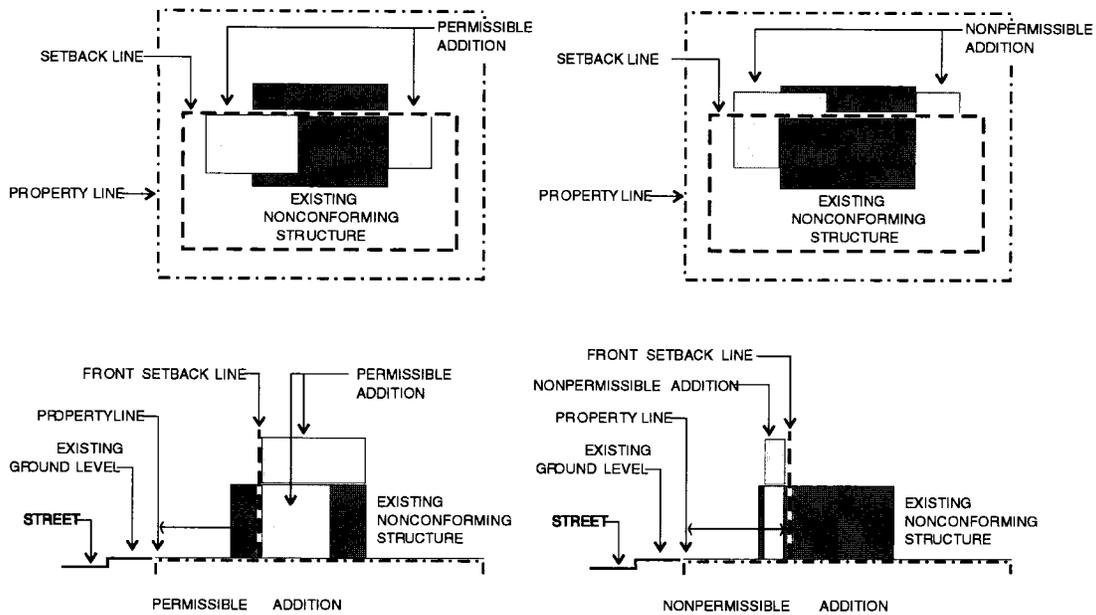
- A. This Development Code shall govern the development and use of land and structures within the corporate limits of the city.
- B. No building, structure, water or land shall be used or occupied, and no building, structure, or land shall be developed unless in conformity with all of the provisions of the zoning district in which it is located, all applicable regulations, and all development approvals.

Section 6-102. - Nonconforming structures.

- A. Except as otherwise provided in this Development Code, a nonconforming structure may be used for any purpose permitted in the zoning district in which it is located.
- B. Normal repair and maintenance, such as painting, cleaning, and repairing of same nonconformity may be performed on nonconforming structures. However, nonconforming structures shall be made to fully comply with the provisions of this Code, provided the cost of repair of any structure or improvement at any time exceeds 50 percent of the assessed value of the entire structure. Assessed value shall be determined by reference to the official property tax assessment rolls for the year the structure or site improvement is destroyed or damaged.
- C. A nonconforming structure shall not be altered, enlarged or changed in any way that increases its nonconformity. Any structure or site improvement may, however, be altered to decrease its nonconformity.
- D. Any part of a nonconforming structure which is destroyed or damaged to the extent of less than 50 percent of the assessed value of the entire structure may be repaired or restored if a complete and legally sufficient application for all required permits to repair or restore the damage is submitted within six months of the date of the damage. Any nonconforming structure which is destroyed or damaged to 50 percent or more of the assessed value may be repaired or restored only if the structure conforms to the standards of this Development Code for the zoning district in which it is located. Assessed value shall be determined by reference to the official property tax assessment rolls for the year the structure is destroyed or damaged. The extent of damage or destruction shall be determined by the building official by comparing the estimated cost of repairs or restoration with the assessed value.
- E. Should a nonconforming structure be moved for any reason, for any distance whatsoever, it shall thereafter conform to the applicable requirements of this Code. Should any portion of any structure be removed for any reason, it shall not be replaced, except in conformity to the applicable requirements of this Code.
- F. *Exemption:* Any nonconforming structure that is used for affordable housing may be exempted from subsections B. or D., above, subject to approval of a Level One (flexible standard) application, and provided that the following criteria are satisfied:
  - 1. The exemption will only apply to a bona fide affordable housing project as verified by the City's Economic Development & Housing Department; and
  - 2. The exemption will not apply to a structure in any area of special flood hazard which is not elevated or flood-proofed to National Flood Insurance Program standards, as set forth in 44 CFR 59 and 60; and
  - 3. The exemption will not be contrary to the public interest; and
  - 4.

The exemption will not be contrary to the Florida Building Code or related requirements to protect public safety; and

5. The exemption would have the effect of reducing the number of nonconforming features of the structure or site or of reducing the degree of nonconformity of one or more nonconforming feature(s) of the structure or site; and
6. The repair, alteration, or enlargement of the nonconforming structure would provide for affordable housing consistent with the required covenants to maintain affordability as set forth in Section 3-920.A.4.



### Permissible and Nonpermissible Additions

(Ord. No. 6928-02, § 114, 5-2-02; Ord. No. 8310-12, § 11, 2-2-12; Ord. No. 8715-15, § 18, 6-18-15)

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**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.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X** *[Signature]*  Agent  
 Addressee  
B. Received by (Printed Name) C. Date of Delivery



HGEMES, DELTWIN  
19420 WHISPERING BROOK DR.  
TAMPA, FL 33647

Address different from item 1?  Yes  
or delivery address below:  No



9590 9402 5667 9308 6075 86

3. Service Type  
 Adult Signature  Priority Mail Express®  
 Adult Signature Restricted Delivery  Registered Mail™  
 Certified Mail®  Registered Mail Restricted Delivery  
 Certified Mail Restricted Delivery  Return Receipt for Merchandise  
 Collect on Delivery  Signature Confirmation™  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery  
 Mail Restricted Delivery

Article Number (Transfer from service label)  
9589 0710 5270 2047 3932 10



**Parcel Summary (as of 02-Feb-2026) Parcel Map**

Parcel Number  
**16-29-16-00000-220-4100**

Owner Name  
HOLMES, DELTWAIN

Property Use  
0110 Single Family Home

Site Address  
3087 CHERRY LN  
CLEARWATER, FL 33759

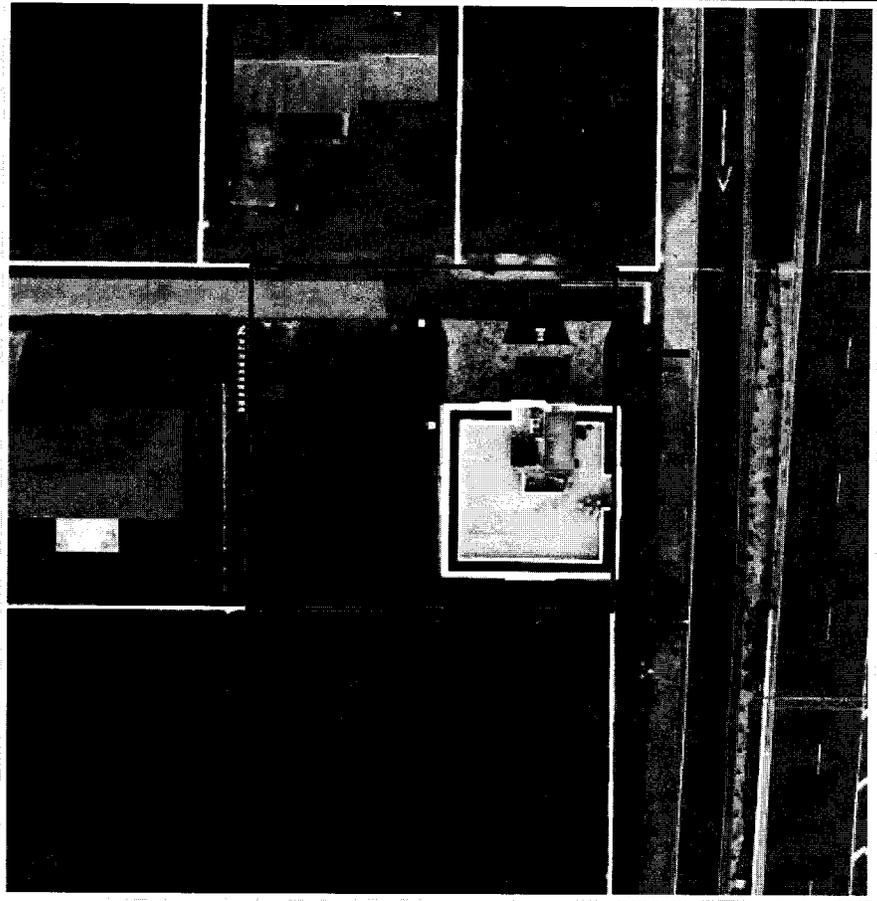
Mailing Address  
19426 WHISPERING BROOK DR  
TAMPA, FL 33647-3733

Legal Description  
E 269.05FT OF N 100FT OF S 110FT OF S 1/2 OF SE 1/4 NW 1/4 OF SEC SEC 16-29-16 LESS E 162FT THEREOF

Current Tax District  
CLEARWATER (CW)

Year Built  
2012

Living SF	Gross SF	Living Units	Buildings
6,857	9,060	1	1



**Exemptions**

Year	Homestead	Use %	Status	Property Exemptions & Classifications
2027	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).
2026	No	0%		
2025	Yes	100%		

**Miscellaneous Parcel Info**

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
23282/1356	Find Comps	<u>268.19</u>	<u>NON EVAC</u>	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	/

**2025 Final Values**

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2025	\$1,456,888	\$1,301,212	\$0	\$0	\$0

**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
2024	Y	\$1,272,425	\$1,264,540	\$0	\$0	\$0
2023	Y	\$1,190,767	\$1,190,767	\$1,140,767	\$1,165,767	\$1,140,767
2022	N	\$929,495	\$929,495	\$929,495	\$929,495	\$929,495
2021	N	\$1,120,322	\$1,120,322	\$1,120,322	\$1,120,322	\$1,120,322
2020	Y	\$951,159	\$951,159	\$901,159	\$926,159	\$901,159