



PLANNING AND DEVELOPMENT DEPARTMENT APPEAL APPLICATION

IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT COMPLETE AND CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPLICATION.

ALL APPLICATIONS ARE TO BE FILLED OUT COMPLETELY AND CORRECTLY, AND SUBMITTED IN PERSON (NO FAX OR DELIVERIES) TO THE CITY CLERKS OFFICE.

SECTION 4-502.A: AN APPEAL OF A LEVEL ONE (FLEXIBLE STANDARD) APPLICATION MAY BE INITIATED BY AN APPLICANT OR PROPERTY OWNERS WITHIN THE REQUIRED NOTICE AREA AND WHO PRESENTED COMPETENT SUBSTANTIAL EVIDENCE IN THE LEVEL ONE REVIEW, WHICH IS THE SUBJECT OF THE APPLICATION WITHIN SEVEN DAYS OF THE DATE THE DEVELOPMENT ORDER IS ISSUED. THE FILING OF AN APPLICATION/NOTICE OF APPEAL SHALL STAY THE EFFECT OF THE DECISION PENDING THE FINAL DETERMINATION OF THE CASE.

SECTION 4-502.B: APPEAL OF ALL OTHER APPLICATIONS OTHER THAN LEVEL ONE APPROVAL FLEXIBLE STANDARD MAY BE INITIATED BY THE APPLICANT, OR BY ANY PERSON GRANTED PARTY STATUS WITHIN 14 DAYS OF THE DECISION. SUCH APPLICATION SHALL BE FILED WITH THE CITY CLERK IN A FORM SPECIFIED BY THE COMMUNITY DEVELOPMENT COORDINATOR IDENTIFYING WITH SPECIFICITY THE BASIS FOR THE APPEAL AND ACCOMPANIED BY A FEE AS REQUIRED BY SECTION 4-202(E). THE FILING OF AN APPLICATION/NOTICE OF APPEAL SHALL STAY THE EFFECT OF THE DECISION PENDING THE FINAL DETERMINATION OF THE CASE.

APPEALS TO THE COMMUNITY DEVELOPMENT BOARD: \$250

APPEALS TO HEARING OFFICER: \$500

PROPERTY OWNER (PER DEED): James & Christine Brzycki

MAILING ADDRESS: 1934 Marlinton Way, Clearwater 33763

PHONE NUMBER: 727-403-9837

EMAIL: brzyckijames@gmail.com

APPLICANT: Same as above

MAILING ADDRESS:

PHONE NUMBER:

EMAIL:

AGENT OR REPRESENTATIVE: Not applicable

MAILING ADDRESS:

PHONE NUMBER:

EMAIL:

ADDRESS OF SUBJECT PROPERTY: 1934 Marlinton Way, Clearwater 33763

PARCEL NUMBER(S): 06-29-16-58470-000-0310

LEGAL DESCRIPTION: MONTCLAIR LAKE TOWNHOMES - PHASE 1 LOT 31

CASE NUMBER TO BE APPEALED: TRE2025-11015

DATE OF DECISION: 12-03-25

SELECT THE SPECIFIC APPEAL:

APPEALS TO THE COMMUNITY DEVELOPMENT BOARD (CDB):

- ☐ Orders, requirements, decisions or determinations made by an administrative official in the administration of the Community Development Code, except for enforcement actions.
- ☐ Administrative interpretations of the Community Development Code.
- ☐ Level One (Flexible Standard Development and Minimum Standard) approval decisions.
- ☐ Any denials deemed to have occurred as result of the failure of the Community Development Coordinator to act within the time limits provided in this Community Development Code.
- ☒ Denials of any permit or license issued under the provisions of the Community Development Code.

APPEALS TO A HEARING OFFICER:

- ☐ Decisions of the Community Development Board regarding Level One applications.
- ☐ Decisions of the Community Development Board regarding Level Two applications.
- ☐ Any denials deemed to have occurred as a result of the failure of the Community Development Board to act within the time limits provided in the Community Development Code, or as a result of the failure of any other administrative official or body (other than the Community Development Coordinator or the City Council) to act within the time limits provided by any other applicable law, rule, policy, or regulation then in effect.

BASIS OF APPEAL (Explain in detail the basis for the appeal):

My town home faces east with a Live Oak tree in front. The tree is bounded on the east and west sides by a concrete walkway within ~4 feet of the trunk, which is inconsistent with Community Development Code, Division 12, Section 3-1202 General Landscaping Standards for Shade Trees which states: "All materials shall be Florida Grade #1 and be planted a minimum of five feet from an impervious area."

I request approval to remove this tree, to be replaced with two Crepe Myrtles on the south side of my town home.

STATE OF FLORIDA, COUNTY OF PINELLAS

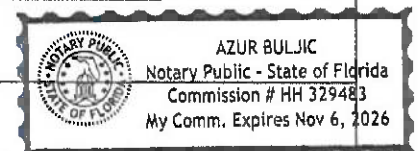
I, the undersigned, acknowledge that all representations made in this application are true and accurate to the best of my knowledge and authorize City representatives to visit and photograph the property described in this application.

Sworn to and subscribed before me this 8th day of December, 2025, to me and/or by James & Christine Brzycki, who is personally known has produced FLDL & FLDL as identification.

James C. Brzycki Christine Brzycki
Signature of property owner or representative

Azur Buljic
Notary public,

My commission expires: 11/6/26





PLANNING AND DEVELOPMENT DEPARTMENT AFFIDAVIT OF OWNERSHIP

1. Provide names of all property owners on deed – PRINT full names:

James C. Brzycki

Christine Brzycki

2. That (I am/we are) the owner(s) and record title holder(s) of the following described property:

Parcel #06-29-16-58470-000-0310, MONTCLAIR LAKE TOWNHOMES - PHASE 1 LOT 31

3. That this property constitutes the property for which a request for (describe request):

Tree removal

4. That the undersigned (has/have) appointed and (does/do) appoint:

not applicable

as (his/their) agent(s) to execute any petitions or other documents necessary to affect such petition;

5. That this affidavit has been executed to induce the City of Clearwater, Florida to consider and act on the above described property;

6. That site visits to the property are necessary by City representatives in order to process this application and the owner authorizes City representatives to visit and photograph the property described in this application;

7. That (I/we), the undersigned authority, hereby certify that the foregoing is true and correct.

James C. Brzycki
Property Owner

Christine Brzycki
Property Owner

Property Owner

Property Owner

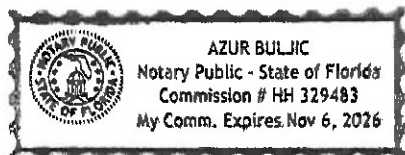
STATE OF FLORIDA, COUNTY OF PINELLAS

BEFORE ME THE UNDERSIGNED, AN OFFICER DULY COMMISSIONED BY THE LAWS OF THE STATE OF FLORIDA, ON

THIS 8 DAY OF December, 2025, PERSONALLY APPEARED

James Brzycki and Christine Brzycki WHO HAVING BEEN FIRST DULY SWORN

DEPOSED AND SAYS THAT HE/SHE FULLY UNDERSTANDS THE CONTENTS OF THE AFFIDAVIT THAT HE/SHE SIGNED.



Notary Seal/Stamp

Azur Buljic
Notary Public Signature

My Commission Expires:

11/6/26



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) 562-4567

TREE REMOVAL PERMIT

Site Address: 1934 MARLINGTON WAY

Permit #: TRE2025-11015

APPLICANT:

JAMES C BRZYCKI
1934 MARLINGTON WAY
CLEARWATER, FL 33763-4295

As the property owner or representative of the property owner, the applicant has verified that the tree(s) sought to be removed is wholly on property owned by the above identified property owner, and should it be determined the tree(s) are located wholly or partially on property owned by some other person, then, applicant agrees to hold the City of Clearwater harmless in any claim made for wrongful removal of such tree(s). Applicant also certifies that the application is a true representation of all facts concerning the proposed removal of the tree(s). Any deviation from the permit issued shall render it null and void and be considered a violation of the Community Development Code.

Location of Tree to be Removed: FRONT OF TOWN HOME

Number of Trees Requested for Removal: 1

Reason for Removal: TREE IS ADJACENT TO SIDEWALK, ELETRICAL AND WATER UTILITY

Number of Trees Approved for Removal:

Based on the inspector's comments and information submitted, the above removal application is:

Denied

Date: 12/3/2025

Robert Robicheau
Land Development Arborist
Planning and Development
City of Clearwater
100 S. Myrtle Ave.
Clearwater, FL 33756-5520
727-444-7961
Robert.Robicheau@myclearwater.com

Tree Removal Application

1934 Marlinton Way, Clearwater

James Brzycki, 727-403-9837, brzyckijames@gmail.com

I would like to **remove one Live Oak** from front of town home and **replace it with two Crepe Myrtles** on the side of the town home as indicated below.

