

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

City Case Number: PNU2024-00207

NAME OF VIOLATOR: GUARIN, VALENTINA PATINO
MAILING ADDRESS: 208 S HERCULES AVE.
CLEARWATER, FL 33765-3613

VIOLATION ADDRESS: 208 S HERCULES AVE

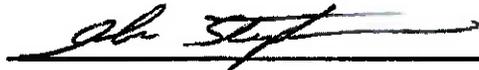
LEGAL DESCRIPTION OF PROPERTY: See "Exhibit "A", Pinellas County Property Records Printout, attached, for legal description

PARCEL #: 13-29-15-82512-002-0100

DATE OF INSPECTION: 3/22/2024 2:42:00 PM

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

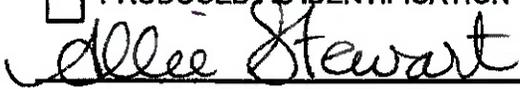
3-1503.B.6. - ****INOPERATIVE VEHICLE/OUTDOOR STORAGE/NUISANCE**** Except as provided in section 3-1506, the outdoor storage of all or part of any dismantled, partially dismantled, inoperative or discarded vehicle, recreational vehicle, machinery, appliance, farm equipment, aircraft, construction equipment, 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.


John Stephens

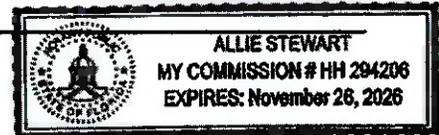
STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of physical presence or online notarization on this 22nd day of March, 2024, by John Stephens.

- PERSONALLY KNOWN TO ME
- PRODUCED AS IDENTIFICATION


(Notary Signature)

Type of Identification




Name of Notary (typed, printed, stamped)

FILED THIS 22 DAY OF March, 2024

MCEB CASE NO. 55-24


Affidavit_Req4Hearing



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

INOPERATIVE VEHICLE / OUTDOOR STORAGE NOTICE OF VIOLATION

PNU2024-00207

Property Owner:

GUARIN, VALENTINA PATINO
208 S HERCULES AVE.
CLEARWATER, FL 33785-3613

LOCATION OF VIOLATION: 208 S HERCULES AVE

Parcel #: 13-29-15-82512-002-0100

LEGAL DESCRIPTION: SKY CREST UNIT NO. 8 BLK B, LOT 10

INSPECTION DATE:

An inspection of this property discloses and it has been found and determined, that an inoperable vehicle or outdoor storage violation exists on this property constituting a violation of Section 3-1503.B.6. which constitutes: Except as provided in section 3-1506., the outdoor storage of all or part of any dismantled, partially dismantled, inoperative (Inoperative means not in working condition as designed, or not capable of being operated lawfully,) 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. This violation constitutes a nuisance as defined in Section 8-102.

Specifically: During a recent inspection, the above listed condition(s) existed at this property and must be addressed in accordance with property maintenance ordinances. All vehicles parked or stored outdoors (including carports) must display current registration, have inflated tires, and be street operable, or they should be removed from the property or kept in the garage. Inoperative is defined by the city as not in working condition as designed, or not capable of being operated lawfully. Please bring into compliance by date to avoid further action and/or fines. Any vehicle under a cover must have the registration exposed. Thank you.

THIS VIOLATION SHALL BE CORRECTED BY 3/22/2024

You are to remedy the above described condition by the above-described correction date. If you do not remedy the condition by the above-described date then a public hearing will be held on Wednesday, 3/27/2024, at 1:30 p.m. before the Municipal Code Enforcement Board in the Council Chambers, Clearwater Main Library, at 100 N Osceola Ave, Clearwater, Florida 33755, concerning the above described violation. Failure to appear may result in the Board proceeding in your absence.

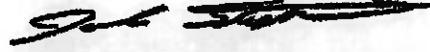
You have the right to obtain an attorney, at your own expense, to represent you before the Board. If you are absent but represented at the hearing, your representative must present to the Board your letter authorizing your representative to speak on your behalf. You will have the opportunity to present 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 above are corrected prior to the Board hearing if compliance is met after the compliance date set forth above.

Should you be found in violation of the City Code, the Municipal Code Enforcement Board has the power by law to allow the City to make all reasonable repairs which are required to bring the property into compliance and charge you with the reasonable cost of the repairs along with daily fines which may

become a lien on all non-exempt real and personal property you own.

If you wish to have any witnesses subpoenaed, please contact the Secretary of the Municipal Code Enforcement Board within five (5) days at 727-562-4097. 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 below.



Inspector: John Stephens
Inspector Phone: 727-444-8719

Date Mailed: 2/22/2024

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: PNU2024-00207

Site of Violation: 208 S HERCULES AVE

RECEIVED

FEB 22 2024

CITY OF CLEARWATER

1. John Stephens, being first duly sworn, deposes and says:
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 22nd day of February, 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 208 S HERCULES AVE, Clearwater, Florida.

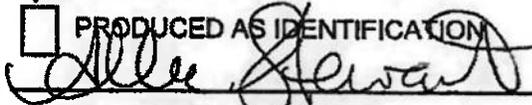

 John Stephens Code Inspector
 727-444-8719
 john.stephens@myclearwater.com

STATE OF FLORIDA
COUNTY OF PINELLAS

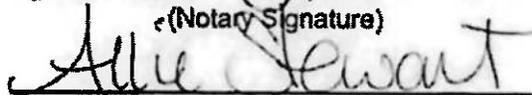
SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 22nd day of February, 2024, by John Stephens.

PERSONALLY KNOWN TO ME

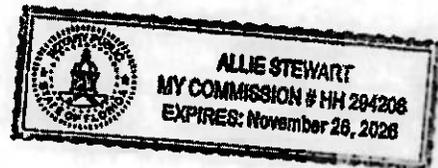
PRODUCED AS IDENTIFICATION

 _____
Type of Identification

(Notary Signature)



Name of Notary (typed, printed, stamped)





Parcel Summary (as of 25-Mar-2024) **Parcel Map**

Parcel Number
13-29-15-82512-002-0100

Owner Name
GUARIN, VALENTINA PATINO
AYALA, JOSHUA M RIVERA

Property Use
0110 Single Family Home

Site Address
208 S HERCULES AVE
CLEARWATER, FL 33765

Mailing Address
208 S HERCULES AVE
CLEARWATER, FL 33765-3613

Legal Description
SKY CREST UNIT NO. 8 BLK B, LOT 10

Current Tax District
CLEARWATER (CW)

Year Built
1954



Living SF	Gross SF	Living Units	Buildings
1,063	1,601	1	1

Exemptions

Year	Homestead	Use %	Status
2025	Yes	100%	Assuming no ownership changes before Jan. 1, 2025.
2024	Yes	100%	
2023	Yes	100%	

Property Exemptions & Classifications
No Property Exemptions or Classifications found. Please note that Ownership Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc... will not display here).

Miscellaneous Parcel Info

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
21157/1024	\$245,200	121030266022	<u>NON EVAC</u>	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	30/79

2023 Final Values

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	\$209,596	\$157,831	\$107,831	\$132,831	\$107,831

Value History (yellow indicates corrected value)

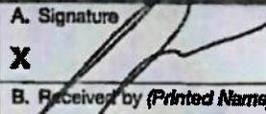
Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	Y	\$211,774	\$153,234	\$103,234	\$128,234	\$103,234
2021	Y	\$148,771	\$148,771	\$98,771	\$123,771	\$98,771
2020	Y	\$127,297	\$60,715	\$25,000	\$35,715	\$25,000
2019	Y	\$114,396	\$59,350	\$25,000	\$34,350	\$25,000
2018	Y	\$101,790	\$58,243	\$25,000	\$33,243	\$25,000

PN 2024-00207

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  Agent
 Addressee

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



GUARIN, VALENTINA PATINO
 208 S. HERCULES AVE.
 CLEARWATER, FL 33765-3613

did you receive this item? Yes No
 or delivery address correct? Yes No

RECEIVED No
 MAR 08 2024
 PLANNING & DEVELOPMENT
 CODE COMPLIANCE



9590 9402 5668 9308 1564 72

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

2. Article Number (Transfer from previous label)

7019 2970 0001 6141 1333

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

USPS TRACKING # TAMPA FL 335



23 FEB 2024 PM 3 L

First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

9590 9402 5668 9308 1564 72

United States Postal Service

* Sender: Please print your name, address, and ZIP+4® in this box*

CITY OF CLEARWATER
 CODE COMPLIANCE
 POST OFFICE BOX 4748
 CLEARWATER, FL 33758-4748

INITIALS: JS

3-474848

