

NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA

Certified Mail sent:
12/03/2018

Owner: 902 TURNER ST LAND TRUST
CASUCCI, JEAN TRE
902 TURNER ST
CLEARWATER, FL 33756-5636

Violation Address: 904 ½ TURNER ST
Parcel # 15-29-15-54450-016-0300

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, FEBRUARY 27 2019, at 1:30 p.m.** there will be a public hearing before the Municipal Code Enforcement Board in the Council Chambers, Meeting Room A/B, in the Main Library at 100 North Osceola Avenue, Clearwater, Florida, concerning violation of Section 3-1502.A. 3-1503.B.2. & 47.161 of the Clearwater City Code, Standard Housing Code, or Florida Building Code, or National Electric 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, or give an order for the City of Clearwater to rectify the violation by any reasonable means necessary.

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 on the Affidavit(s) of Violation.

Sincerely,
JASON CANTRELL



BUILDING CONSTRUCTION INSPECTOR

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 purpose of this quasi-judicial Board of seven citizens is to quickly and fairly render decisions and facilitate enforcement of certain codes 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 silence electronic devices during the hearings.

FLORIDA STATUTE 286.0105 STATES THAT ANY PERSON APPEALING A DECISION OF THIS BOARD WILL NEED A RECORD OF THE PROCEEDINGS.

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

City Case Number: UNS2017-00006

NAME OF VIOLATOR: 902 TURNER ST LAND TRUST
MAILING ADDRESS: 902 TURNER ST
CLEARWATER, FL 33756-5636

VIOLATION ADDRESS: 904 1/2 TURNER ST

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

PARCEL #: 15-29-15-54450-016-0300

DATE OF INSPECTION: 1/11/2019

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

(1) All buildings, structures, or electrical, gas, mechanical or plumbing systems which are unsafe or unsanitary, or which do not provide adequate egress, or which constitute a fire hazard, or which are otherwise dangerous to human life, or which constitute a hazard to safety or health, are considered unsafe buildings, structures or service systems and are hereby declared illegal. All such unsafe building, structures or service systems shall be abated by repair and rehabilitation

or by demolition in accordance with the provisions of the Standard Unsafe Building Abatement Code, adopted in section 47.051 of this Code of Ordinances, with the following amendments:

UNSAFE. Buildings, structures or equipment that are unsanitary, or that are deficient due to inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or in which the structure or individual structural members meet the definition of "Dangerous," or that are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance shall be deemed unsafe. A vacant structure that is not secured against entry shall be deemed unsafe.

DANGEROUS. Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:

1. The building or structure has collapsed, has partially collapsed, has moved off its foundation, or lacks the necessary support of the ground.
2. There exists a significant risk of collapse, detachment or dislodgement of any portion, member, appurtenance or ornamentation of the building or structure under service loads.

STRUCTURAL REPAIRS NECESSARY DUE TO STRUCTURE FIRE.

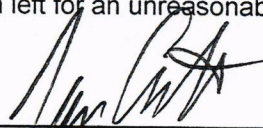
Section 3-1502. - Property maintenance requirements.

A. Minimum building and fire code requirements. All buildings shall be maintained in accordance with the Standard Building Code, the Fire Protection Code, and the Minimum Standard Housing Code as provided in Chapters 47 and 49 of the City's Code.

3-1503. - Nuisances.

B. The existence of any of the following specific conditions or conduct is hereby declared to constitute a public nuisance:

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.



Jason Cantrell

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me on this 24th day of January, 2019, by Jason Cantrell.

☒ PERSONALLY KNOWN TO ME

☐ PRODUCED AS IDENTIFICATION

Type of Identification

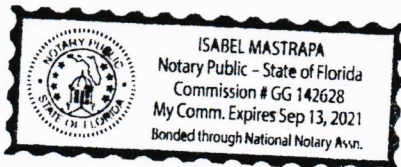


(Notary Signature)

Isabel Mastrapa

Name of Notary (typed, printed, stamped)

FILED THIS 24 DAY OF January, 2019



MCEB CASE NO.

GG142628

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) 562-4567

902 TURNER ST LAND TRUST
902 TURNER ST
CLEARWATER, FL 33756-5636

December 3, 2018

NOTICE OF UNSAFE BUILDING

Case #: UNS2017-00006

CERTIFIED MAIL #: 70173040000108267167

LOCATION: 904 1/2 TURNER ST

PARCEL NO: 15-29-15-54450-016-0300

LEGAL: MAGNOLIA PARK BLK 16, LOT 30

Dear Owners:

You are hereby notified that in accordance with the City of Clearwater Ordinances the above described property is declared unsafe and is creating a nuisance, and is therefore, subject to abatement, repair or demolition. Reference Section 47.161, of the Clearwater Community Development Code and the Standard Unsafe Building Abatement Code as adopted by the City of Clearwater, Florida.

It is in a deteriorated condition that creates a serious hazard to the health, safety and welfare of the public. Items that must be corrected include, but are not limited to, what is shown on the enclosed inspection report. All items on the attached report must be corrected.

You are hereby ordered to repair or demolish this structure within the limits of all building and zoning regulations. Should you elect to repair this structure, you are required to submit drawings showing how this is to be accomplished, secure all necessary permits, and commence work no later than seven (7) calendar days from receipt of this notice. Work is to be continued to completion within twenty (20) calendar days following issuance of the permit.

Work will be considered complete only upon the issuance of a certificate of completion (CoC). The city will give the utility companies (electric, water, gas, etc.) authorization to turn on utilities when all construction work has been completed to meet Code requirements. Use of this structure before issuance of CoC is a violation of law. Electrical power needed to make repairs at this site will require a temporary power pole and the associated permits and inspections.

The repairs must upgrade the structure to all the latest provisions of the current Standard Housing, Building, Plumbing, and Mechanical Codes and the National Electric Codes. The work shall also include the structural repair of all mechanical, electrical, plumbing, building and fire code. All openings providing access to the interior of the building must be secured using approved materials and methods. Any exterior repairs necessary to remove hazards to persons outside the building(s) shall be performed to the satisfaction of the City as a prerequisite to an extension of a deadline.



CITY OF CLEARWATER

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Repairs needed will be, but not limited to the following: Building, Plumbing, Electrical, and Mechanical. You are required to obtain a licensed Florida Engineer, and / or Contractor to determine all areas of the structure that do not meet current Codes. Submit to the City a report from your Construction Professional containing specifics as to how this structure will be brought to current Code Standards, if you choose to repair.

The building or structure may be secured to City of Clearwater specifications up for a maximum of twenty-seven (27) calendar days. During that time all necessary repairs, construction, alterations, removal or demolition shall be completed.

If the repairs, or demolition are not completed by the dates specified in this notice, by authority of Chapter 6 of the Standard Unsafe Building Code, 1985 edition, as adopted by Section 47.051(1)(e) of the City Code of Ordinances, the building will be ordered vacated and posted to prevent further occupancy until the work is completed, the City will take action to obtain compliance with this building.

All costs and expenses will be billed to you. Costs include anything incurred in bringing the property into compliance, including expenses and staff time. An unpaid bill may result in a lien for the amount of the billing. The lien will remain on your property until the bill is paid or the lien satisfied.

This violation cited above must be corrected by securing all necessary permits, and commencing work no later than seven (7) calendar days from receipt of this notice. Work is to be continued to completion within twenty (20) calendar days following issuance of the permit. Failure to correct the above listed violation by the date indicated, or recurrence of the violation after correction, will result in a legal action before the municipal code enforcement board of the city of clearwater or before the Pinellas county court. Such action may result in a fine or other civil remedy. The alleged violator may be liable for the reasonable costs of the investigation, prosecution and the administrative hearing, and any other reasonable costs the city incurs in correcting the violation, should this person be found guilty of the violation.

Sincerely,

Jason Cartrell

Building Inspector



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
TELEPHONE (727) 562-4567

UNSAFE STRUCTURE REPORT

Inspector: Jason Cantrell

Date Inspected: December 3, 2018

Case #: UNS2017-00006

Property Address: 904 1/2 TURNER ST
CLEARWATER, FL 33756

Parcel No: 15-29-15-54450-016-0300

Legal Description: MAGNOLIA PARK BLK 16, LOT 30

Owner Name: 902 TURNER ST LAND TRUST

Mailing Address: 902 TURNER ST
CLEARWATER, FL 33756-5636

REPORT

The items listed below were easily visible and noted on an inspection of this structure. They are items that are at least part of the reason this structure has been declared UNSAFE. Caution - Do not use this report as a work write-up. It will be necessary for you to have an architect, engineer, and or contractor thoroughly inspect the entire structure. This inspection should compare all current Florida Codes with your structure and determine any and all code deficiencies. This structure must be remodeled/repaired to meet all current codes. Your design professional will be able to determine what needs to be done to make the structure meet current codes.

TO OCCUPY THE STRUCTURE OR TO HAVE UTILITIES TURNED ON, THE STRUCTURE MUST MEET THE CURRENT CODES.

Exterior

- STRUCTURAL REPAIRS NECESSARY DUE TO STRUCTURE FIRE.

Section 3-1502. - Property maintenance requirements.

A. Minimum building and fire code requirements. All buildings shall be maintained in accordance with the Standard Building Code, the Fire Protection Code, and the Minimum Standard Housing Code as provided in Chapters 47 and 49 of the City's Code.

3-1503. - Nuisances.

B. The existence of any of the following specific conditions or conduct is hereby declared to constitute a public nuisance:

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.



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UNSAFE BUILDINGS & SYSTEMS - 47.161 Declared illegal; amendments to standard code

- (1) All buildings, structures, or electrical, gas, mechanical or plumbing systems which are unsafe or unsanitary, or which do not provide adequate egress, or which constitute a fire hazard, or which are otherwise dangerous to human life, or which constitute a hazard to safety or health, are considered unsafe buildings, structures or service systems and are hereby declared illegal. All such unsafe building, structures or service systems shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Standard Unsafe Building Abatement Code, adopted in section 47.051 of this Code of Ordinances, with the following amendments:
UNSAFE. Buildings, structures or equipment that are unsanitary, or that are deficient due to inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or in which the structure or individual structural members meet the definition of "Dangerous," or that are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance shall be deemed unsafe. A vacant structure that is not secured against entry shall be deemed unsafe.
DANGEROUS. Any building, structure or portion thereof that meets any of the conditions described below shall be deemed dangerous:
 1. The building or structure has collapsed, has partially collapsed, has moved off its foundation, or lacks the necessary support of the ground.
 2. There exists a significant risk of collapse, detachment or dislodgement of any portion, member, appurtenance or ornamentation of the building or structure under service loads.



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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

It is the property owner's responsibility to have the structure thoroughly investigated for all code deficiencies and to have that work completed by a licensed contractor before utility turn on and occupancy. Submit report to inspector listed below.

Inspector's Signature: _____

Supervisor's Signature: _____

Property Address: 904 1/2 TURNER ST

Section 3-1502. - Property maintenance requirements.

- A. *Minimum building and fire code requirements.* All buildings shall be maintained in accordance with the Standard Building Code, the Fire Protection Code, and the Minimum Standard Housing Code as provided in Chapters 47 and 49 of the City's Code.
- B. *Exterior surfaces.* All building walls shall be maintained in a secure and attractive manner. All defective structural and decorative elements of any building wall shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of the building. All exterior surfaces shall be free of:
1. Mildew;
 2. Rust;
 3. Loose material, including peeling paint; and
 4. Patching, painting or resurfacing shall be accomplished to match the existing or adjacent surfaces as to materials, color, bond and joining.

All cornices, trim and window frames that are damaged, sagging or otherwise deteriorated shall be repaired or replaced to be made structurally sound. All exterior surfaces other than decay-resistant wood and other weather durable finishes, shall be protected from the elements by paint or other protective covering applied and maintained according to manufacturer's specifications and otherwise treated in a consistent manner.

- C. *Door and window openings.*
1. All windows and doors shall be secured in a tight fitting and weatherproof manner and have sashes of proper size and design.
 2. Sashes with rotten wood, broken joints or deteriorated mullions or muntins must be repaired or replaced.
 3. Windows shall be maintained in an unbroken, and clean state. No windows shall be permanently removed and enclosed, covered or boarded up unless treated as an integral part of the building façade using wall materials and window detailing comparable with any upper floors and the building façade in general. All damaged or broken windows shall be promptly restored, repaired or replaced. All awnings, screens or canopies facing or visible from

the public right-of-way or any other parcel shall be maintained in a good and attractive condition and torn, loose and/or bleached awnings, screens or canopies shall be promptly replaced, repaired or removed.

4. Doors and windows not facing the public right-of-way and upper level window and door openings fronting a public right-of-way shall be similarly maintained and repaired as the doors and windows facing the public right-of-way, except that such doors and windows may be enclosed or removed provided the sills, lintels and frames are removed and the opening properly closed to match and be compatible with the design, material and finish of the adjoining wall of which the opening is a part.

D. *Roofs.*

1. All roofs shall be maintained in a safe, secure and watertight condition.
2. Any new mechanical equipment, including replacement equipment placed on a roof, shall be so located as to be screened from view from the public right-of-way at street level from adjoining properties.
3. Roofs shall be maintained in a clean, mildew-free condition and kept free of trash, loose shingles and debris or any other element, including grass or weeds, which is not a permanent part of the building or a functional element of its mechanical or electrical system.
4. Tile roofs with peeling paint shall be repainted or have the paint removed.
5. Any false roof, mansard or similar roof element or other auxiliary structure on the roof shall be finished and maintained in a condition comparable to and compatible with the exterior side of the building wall to which the roof element abuts.

E. *Auxiliary and appurtenant structures.*

1. Chimneys and elevator shafts, and mechanical and electrical structures shall be maintained in a satisfactory state of repair and their exterior finish must be architecturally consistent with the exterior side of the building wall from which they can be seen.
2. Freestanding walls and fences shall be maintained in accordance with the provisions of section 3-808 of this development code.
- 3.

Fountains and other amenities shall be maintained in good working order and all structural components shall be maintained in a satisfactory state of repair, free of chipping, pitting, cracking, discoloration, peeling or fading.

F. *Exterior storage and display/ nonresidential properties.*

1. All equipment, materials and merchandise shall be stored and located at all times within an enclosed structure and no exterior storage of merchandise for sale shall be permitted unless expressly authorized pursuant to the provisions of this Development Code.
2. Garbage and trash shall be deposited only in dumpsters or cans or other receptacles specifically manufactured and intended for such purpose, and secured at all times with a tight fitting cover or lid.

G. *Exterior storage and display for residential properties.*

1. As provided in Section 3-913 of this Development Code, outdoor storage is prohibited. For the purposes of this section, carports are subject to the outdoor storage provisions.
2. Equipment, materials or furnishings not designed for use outdoors, such as automobile parts and tires, building materials, and interior furniture, may not be stored outdoors.
3. Construction materials, unless such materials are related to an active building permit related to the property on which the materials are located, shall not be stored outdoors on a residentially zoned property.
4. Bulk items intended for pick up by the city may not be placed at the curb more than 24 hours prior to the scheduled pick up.
5. Any motor vehicle that is lawfully parked and is covered in a manner to protect the motor vehicle shall allow at least the bottom six inches of each tire to be visible. The required license plate shall be clearly visible from the right-of-way or the license plate number shall be printed legibly on the cover with characters not less than two inches in height so that it is clearly visible from the right-of-way. Covers shall not be faded and shall be in good condition, without tears, rips or holes.

H. *Yards and landscape areas.*

1. All required landscaping materials shall be maintained in accordance with the provisions of Article 3, Division 12.

2. Any portion of a lot not covered by a building or structure or otherwise devoted to parking, a service drive or a walkway shall be landscaped with grass or other appropriate ground cover and shall be maintained in a neat and orderly manner.
 3. All landscape materials, including turf, shrubs, and trees, whether required or optional, shall be maintained in a healthy live condition so as to present a neat and attractive appearance and so as to discourage the accumulation of trash or debris and/or infestation by pests.
 4. No yard, landscape area or growth of landscape material shall encroach upon the public right-of-way so as to hinder safe and convenient vehicular or pedestrian movement in the public right-of-way.
 5. No yard shall be used for dumping or accumulation of any garbage, rubbish, dead animals, trash, waste vegetable or animal matter of any kind or construction debris.
- I. *Signs.* All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling or fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired, painted or replaced.
- J. *Vacant parcels.*
1. Vacant parcels of land shall be properly maintained consistent with section 3-1502 H and be free of weeds, litter, rubble or debris.
 2. Erosion and sedimentation mitigation measures may be required if it is determined that runoff from a vacant parcel causes harm to adjacent property, city drainage systems or navigable waters which receive the runoff.
 3. No temporary or permanent storage of materials or equipment shall be allowed on any vacant parcel except in compliance with the regulations for the use of such property as set forth under Article 2 and Article 3 Division 9 of this Development Code.
- K. *Public rights-of-way and sidewalks and parking surfaces.*
1. Public rights-of-way and sidewalks adjoining an improved parcel of land which, because of its location and character, is used as if it were appurtenant to or an extension of the parcel of land, shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a

minimum, keep such rights-of-way and sidewalks clear of litter, trash, debris, equipment, weeds, trees, shrubs and other vegetation and refuse and provide a height clearance of at least eight feet from the sidewalk pavement measured vertically from the pavement surface, unless an exception has been granted by the urban forester for protected trees. All unpaved areas shall be landscaped with grass or other ground cover and such areas shall be regularly mowed or otherwise maintained in a neat and attractive condition.

2. No person shall erect, place or locate any structure, display materials, merchandise, or similar objects within the limits of any street right-of-way unless specifically permitted pursuant to the provisions of this Development Code.
3. No trash receptacles, newspaper racks or other dispensing machines shall be located in a public right-of-way unless specifically authorized by the city and other applicable agencies.
4. Parking lot and driveway surfaces shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep such surface free of pot holes, litter, trash, debris, equipment, weeds, dead vegetation and refuse and shall promptly repair cracked or heaved parking lot surfaces.
5. All sidewalks located on private property shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep sidewalks clear of litter, trash, debris, equipment, weeds, dead vegetation and refuse. Sidewalks that are cracked, heaved or otherwise unsafe for pedestrians shall be promptly replaced.

L. *Maintenance of seawalls.* All seawalls shall be maintained in structurally sound condition and shall comply with applicable building and coastal construction codes.

(Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 6928-02, §§ 71—75, 5-2-02; Ord. No. 7449-05, § 20, 12-15-05; Ord. No. 8211-10, § 11, 10-5-10; Ord. No. 8931-16, § 18, 9-1-16)

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, curblin 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)

Sec. 47.161. - Declared illegal; amendments to standard code.

- (1) All buildings, structures, or electrical, gas, mechanical or plumbing systems which are unsafe or unsanitary, or which do not provide adequate egress, or which constitute a fire hazard, or which are otherwise dangerous to human life, or which constitute a hazard to safety or health, are considered unsafe buildings, structures or service systems and are hereby declared illegal. All such unsafe building, structures or service systems shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Standard Unsafe Building Abatement Code, adopted in section 47.051 of this Code of Ordinances, with the following amendments:

Section 105. Section 105 is amended to read in its entirety:

105. Board of adjustment and appeals. The building/flood board of adjustment and appeals shall have the authority to provide for adjustments and appeals to the Standard for Unsafe Building Abatement Code, and shall have the authority to make the final interpretation of provisions of such code. This section shall not be construed as depriving the Municipal Code Enforcement Board of its authority to conduct hearings relating to violations of the Standard Unsafe Building Abatement Code or to carry out its powers pursuant to Division 9 of Article III of Chapter 2 of the Code of Ordinances.

Section 302.1.1, paragraph 3.1. Paragraph 3.1 of section 302.1.1 is amended to read:

3.1. If the building or structure is to be repaired or secured, the notice shall require that all necessary permits be secured and the work commenced within seven calendar days following service of notice and that the work be completed within 20 calendar days following issuance of the permit. The notice shall also indicate the degree to which the repairs must comply with the provisions of the Standard Building Code, in accordance with section 101.4 of this Standard Unsafe Building Abatement Code.

Section 302.1.1, paragraph 3.3. Paragraph 3.3 of section 302.1.1 is amended to read:

3.3. If the building or structure is to be demolished, the notice shall require that the premises be vacated within 30 calendar days following service of notice, or immediately following service of notice in the case of an occupied building or

structure which constitutes an immediate hazard to life or to the safety of the occupants and the public. The notice shall also require that all required permits for demolition be secured and the work commenced within seven calendar days following service of notice, and that the demolition be completed within no longer than 20 calendar days following issuance of the permit.

Section 302.1.1, paragraph 4. Paragraph 4 of section 302.1.1 is amended to read:

4. A statement advising that any person having any legal or equitable interest in the property may appeal the notice by the building official to the building/flood board of adjustment and appeals; that such appeal shall be in writing in the form specified in section 401 of this Standard Unsafe Building Abatement Code and shall be filed with the building official within seven calendar days following service of the notice; that upon a failure to appeal in the time specified, the notice shall constitute a final order and no additional notice shall be required or provided; and that failure to appeal in the time specified will constitute a waiver of all rights to an administrative hearing.

Section 303. Section 303 is amended to read in its entirety:

303. Standards For Compliance. The following action shall be taken by the building official when ordering the repair, vacation or demolition of an unsafe building or structure:

1. The building shall be ordered repaired in accordance with the Standard Building Code or demolished at the option of the owner.
2. If the building or structure constitutes an immediate hazard to life or to the safety of the public:
 - a. The building official shall order the building or structure vacated immediately; and
 - b. The building official shall cause the building or structure to be made safe. If the cost to repair is more than 50 percent of the value of that building or structure, the building official shall order the building or structure demolished.

3. The building or structure may be secured or boarded up for a maximum of 30 calendar days, after which time the necessary repairs or construction, alterations, removal, or demolition shall have been commenced and completed; provided, that if an appeal has been taken, the building or structure may be secured or boarded up during the pendency of the appeal and for such additional time as the reviewing board may allow.

4. The building official may extend a deadline for repairing, securing or boarding up, or demolishing a building or structure upon a showing of good cause by the owner, and upon a showing by the owner that the owner has entered into a contract with a licensed contractor to perform the necessary work. To allow the owner to be eligible for a deadline extension, the contract shall require the necessary work to be commenced not later than 60 days following service of notice to the owner and shall require the work to be completed not later than 30 days following commencement of the work if the work consists of nonstructural repairs, or not later than 90 days following commencement of the work if the work consists of structural repairs or demolition of the building or structure. However, if the building or structure constitutes an immediate hazard to life or to the safety of the occupants and the public, the deadline to vacate the building shall not be extended, the building or structure shall be secured against entry by trespassers, and any exterior repairs necessary to remove hazards to persons outside the building or structure shall be performed to the satisfaction of the building official as a prerequisite to an extension of a deadline.

Section 401.1. Section 401.1 is amended to read in its entirety:

401.1. Right of Appeal—Filing.

Any person entitled to service in accordance with the provisions of chapter 3 of this Standard Unsafe Building Abatement Code may appeal any action of the building official under this code to the building/flood board of adjustment and appeals. Such appeal must be filed in writing with the building official within seven calendar days from the date of service on a form provided by the building official containing at least the following information:

1. Identification of the building or structure by street address or legal

description.

2. A statement identifying the legal or equitable interest of each appellant.
3. A statement identifying the specific order of the building official or section of the code being appealed.
4. A statement detailing the issues on which the appellant desires to be heard.
5. The signature of all appellants and their mailing addresses.
6. An application fee as determined in the fee schedule. If appellant is successful, the fee will be refunded.

Chapter 5. Chapter 5 is amended to read in its entirety:

501.1. As an alternative code enforcement remedy, the Municipal Code Enforcement Board is hereby authorized to conduct hearings relating to violations of the Standard Unsafe Building Abatement Code. In any case in which the board finds that a violation has occurred, the board may order corrective action to be taken by a date certain, which corrective action may include the repair, improvement, vacation, or demolition of the building or structure, and may otherwise carry out its powers pursuant to Division 9 of Article III of Chapter 2 of the Code of Ordinances relating to any such violations.

501.2. The hearing notice shall be served personally or mailed as required by section 302.1.3 of this Standard Unsafe Building Abatement Code at least ten calendar days prior to the hearing date.

502. Judicial review. The decision of the building/flood board of adjustment and appeals shall be subject to judicial review in the circuit court by common law certiorari.

- (2) Those provisions of the Standard Unsafe Building Abatement Code not expressly amended by this section 47.161 shall continue in full force and effect.

(Ord. No. 5767-95, § 1, 3-16-95)

CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

Case #: UNS2017-00006

RECEIVED

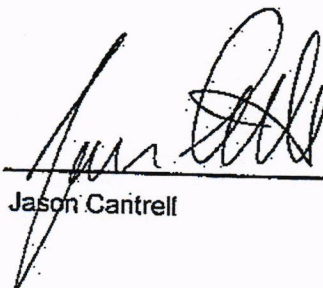
JAN 07 2019

OFFICIAL RECORDS AND
LEGISLATIVE SRVCS DEPT.

I, Jason Cantrell being duly sworn, deposes and says:

1. That I am Code Inspector employed by the Planning and Development Department of the City of Clearwater.
2. That on the 7th day of January, 2019, I posted a copy of the attached Notice of Violation on 904 1/2 TURNER ST at Clearwater City Hall and at 904 1/2 TURNER ST Clearwater, Florida.

Further Affiant sayeth naught.



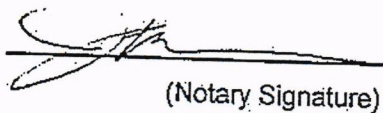
Jason Cantrell

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me on this 7th day of January, 2019, by Jason Cantrell.

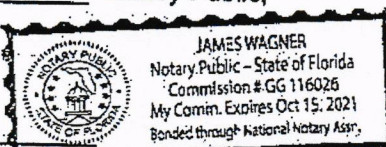
- ☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION

Type of Identification



(Notary Signature)

Notary Public;



Name of Notary (typed, printed, stamped)

Commission Expiration Date

[Interactive Map of this parcel](#) [Sales Query](#) [Back to Query Results](#) [New Search](#) [Tax Collector Home Page](#) [Contact Us](#) WM

15-29-15-54450-016-0300

Compact Property Record Card

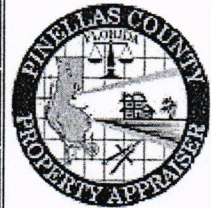
[Tax Estimator](#)

**Updated January 24,
2019**

[Email](#) [Print](#) [Radius Search](#)

[FEMA/WLM](#)

Ownership/Mailing Address <u>Change</u> Mailing Address	Site Address (First Building)
902 TURNER ST LAND TRUST CASUCCI, JEAN TRE 902 TURNER ST CLEARWATER FL 33756-5636	904 TURNER ST CLEARWATER Jump to building: (1) 904 TURNER ST <input checked="" type="checkbox"/>



[Property Use:](#) 0820 (Duplex-Triplex-Fourplex)

Total Living: SF: 3,036

Total Gross SF: 3,564

Total Living Units: 3

[click here to hide] **Legal Description**
MAGNOLIA PARK BLK 16, LOT 30

<u>Tax Estimator</u>	<u>File for Homestead Exemption</u>	2019 Parcel Use															
<table> <tr> <th>Exemption</th><th>2019</th><th>2020</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	2019	2020	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
Exemption	2019	2020															
Homestead:	No	No															
Government:	No	No															
Institutional:	No	No															
Historic:	No	No															

Parcel Information Latest Notice of Proposed Property Taxes (TRIM Notice)

Most Recent Recording	<u>Sales Comparison</u>	<u>Census Tract</u>	<u>Evacuation Zone</u> (NOT the same as a FEMA Flood Zone)	<u>Flood Zone</u> (NOT the same as your evacuation zone)	Plat Book/Page
19148/2625	\$171,900 Sales Query	121030259001	NON EVAC	Compare Preliminary to Current FEMA Maps	3/43

2018 Interim Value Information

Year	<u>Just/Market Value</u>	<u>Assessed Value / Non-HX Cap</u>	<u>County Taxable Value</u>	<u>School Taxable Value</u>	<u>Municipal Taxable Value</u>
2018	\$129,637	\$120,778	\$120,778	\$129,637	\$120,778

[click here to hide] Value History as Certified (yellow indicates correction on file)