#### NOTICE OF HEARING MUNICIPAL CODE ENFORCEMENT BOARD CITY OF CLEARWATER, FLORIDA Case 38-21

Certified Mail March 19, 2021

Owner: Alisha M Harris Barry Pryor 1137 Granada St Clearwater, FL 33755

Violation Address: 1137 Granada St 03-29-15-47430-002-0240 Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, April 28, 2021**, 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**, **3-2302**, **3-2303 & 3-919** 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 727-562-4097. 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,

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: HARIS, ALISHA M MAILING ADDRESS: PRYOR, BARRY 1137 GRANADA ST CLEARWATER, FL 33755 VIOLATION ADDRESS: 1137 GRANADA ST CLEARWATER, FL

CITY CASE#: BIZ2021-00002

DATE OF OFFICIAL NOTICE OF VIOLATION: 1/5/2021

LEGAL DESCRIPTION OF PROPERTY: LA JOLLA SUB BLK B, LOT 24

PARCEL #: 03-29-15-47430-002-0240

DATE OF INSPECTION: 2/25/2021 10:38:00 AM

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

3-2302. - \*\*RESIDENTIAL RENTAL BUSINESS TAX RECEIPT\*\* A business tax receipt shall be required for all rentals as set forth in Section 3-2301. Business tax procedures and requirements shall be as set forth in Code of Ordinances Chapter 29. The fee charged for such business tax shall be as set forth in Code of Ordinances Appendix A, Division XVIII. Property described in this notice is being rented without a business tax receipt.

SPECIFICALLY,

A search of public records has found this non-homesteaded property to be a possible rental. All rental properties inside the city limits of Clearwater are required to obtain a Residential Rental Business Tax Receipt. To comply with City Code, please complete and return the enclosed application by the correction date. Once received, an email will be sent out to you with a link to pay for the license. All residential rental properties over 5 units that are contiguous are required to obtain a state license through the Department of Business and Professional Regulations. For more information or questions, please contact us at 727-562-4005. We are open Monday-Friday from 8:00 A.M. to 5:00 P.M.

A violation exists and a request for hearing is being made	
Julie Phi	llips
SWORN AND SUBSCRIBED before me by means of notarization on this 25th day of February, 2021, by Julie STATE OF FLORIDA	physical presence or online Phillips.
COUNTY OF PINELLAS	
PERSONALLY KNOWN TO ME	
PRODUCED AS IDENTIFICATION	
All Stowart Type of Ide	entification
(Notary Signature) HILE Stewart	ALLIE STEWART Notary Public - State of Florida Commission # GG 279146 My Comm. Expires Nov 26, 2022
Name of Notary (typed, printed, stamped)	
FILED THIS 25 DAY OF FEDRULIN	, 20 <u>Z</u>
	Affidavit Violation

MCEB CASE NO. <u>38.21</u> Jude Spraque Secretary, Municipal Code Enforcement Board

#### MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

NAME OF VIOLATOR: HARRIS, ALISHA M MAILING ADDRESS: PRYOR, BARRY 1137 GRANADA ST CLEARWATER, FL 33755 VIOLATION ADDRESS: 1137 GRANADA ST CLEARWATER, FL

CITY CASE#: CDC2021-00016

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DATE OF OFFICIAL NOTICE OF VIOLATION: 1/5/2021

LEGAL DESCRIPTION OF PROPERTY: LA JOLLA SUB BLK B, LOT 24

PARCEL #: 03-29-15-47430-002-0240

DATE OF INSPECTION: 2/25/2021 10:49:00 AM

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.

8-102 - \*\*RESIDENTIAL USE\*\*

A residential use means a permanent place of residence for a family. A residential use located on residentially zoned property shall not include rentals for periods of less than 31 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place rented for periods of less than 31 days or one calendar month, whichever is less. A residential use located on residentially zoned property shall not include an interval ownership, a fractional ownership, or a timesharing unit.

3-919. - \*\*PRIMA FACIE EVIDENCE OF CERTAIN USES IN RESIDENTIAL ZONING DISTRICT\*\* Prima facie evidence of certain uses located in any residential zoning district, consisting of rentals for periods of less than 31 days or one calendar month, whichever is less, and advertising or holding out to the public as a place rented for periods of less than 31 days or one calendar month, whichever is less shall include but not be limited to one or more of the following:

 $\chi$  (1) Registration or licensing for short-term or transient rental use by the state under Florida Statutes, Chapters 212 (Florida Tax and Revenue Act and 509 (Public Lodging Establishments)

X(2) Advertising or holding out a dwelling unit for tourist housing or vacation rental use.

(3) Reservations, booking arrangements or more than one signed lease, sublease, assignment or any other occupancy agreement for compensation, trade, or other legal consideration addressing or overlapping any period of less than 31 days or one calendar month, whichever is less; or

(4) Use of an agent or other third person to make reservations or booking arrangements.

SPECIFICALLY,

We have received complaints that this property is being illegally rented out and/or advertised as being available for less than the 31 day or one calendar month requirement whichever is less. This was verified on the internet and is a violation of the City of Clearwater ordinance prohibiting short term rentals. Please bring your property and all advertising for your property into compliance by the compliance date to avoid further action. If you have any questions feel free to contact me directly. Thank you!

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

Julie F	Phillips
SWORN AND SUBSCRIBED before me by means of notarization on this 25th day of February, 2021, by Jul	physical presence or online lie Phillips.
STATE OF FLORIDA COUNTY OF PINELLAS	- Producting Contracting Contracting
FERSONALLY KNOWN TO ME	ALLIE STEWART Notary Public - State of Florida Cemmission # GG 279146
	My Comm. Expires Nov 26, 2022
Kill Altura "	Identification
(Notary Signature)	
Name of Notary (typed, printed, stamped)	
FILED THIS 25 DAY OF February	, 20 <u>2</u> ]
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Secretary, Municipal Code Enforcement Board

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 3-919. - Prima facie evidence of certain uses in residential zoning district.

Prima facie evidence of certain uses located in any residential zoning district, consisting of rentals for periods of less than 31 days or one calendar month, whichever is less, and advertising or holding out to the public as a place rented for periods of less than 31 days or one calendar month, whichever is less, shall include but not be limited to one or more of the following:

- Registration or licensing for short-term or transient rental use by the state under Florida Statutes, Chapters 212 (Florida Tax and Revenue Act) and 509 (Public Lodging Establishments);
- (2) Advertising or holding out a dwelling unit for tourist housing or vacation rental use;
- (3) Reservations, booking arrangements or more than one signed lease, sublease, assignment or any other occupancy agreement for compensation, trade, or other legal consideration addressing or overlapping any period of less than 31 days or one calendar month, whichever is less; or
- (4) Use of an agent or other third person to make reservations or booking arrangements.

(Ord. No. 7105-03, § 1, 4-17-03; Ord. No. 8042-09, § 3, 6-4-09)

Residential use means a permanent place of residence for a family. A residential use located on residentially zoned property shall not include rentals for periods of less than 31 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place rented for periods of less than 31 days or one calendar month, whichever is less. A residential use located on residentially zoned property shall not include an interval ownership, a fractional ownership, or a timesharing unit.



## CITY OF CLEAR WATER

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**

HARIS, ALISHA M PRYOR, BARRY 1137 GRANADA ST CLEARWATER, FL 33755

BIZ2021-00002

ADDRESS OR LOCATION OF VIOLATION: 1137 GRANADA ST

LEGAL DESCRIPTION: LA JOLLA SUB BLK B, LOT 24

DATE OF INSPECTION: 2/25/2021

PARCEL: 03-29-15-47430-002-0240

Section of City Code Violated:

3-2302. - \*\*RESIDENTIAL RENTAL BUSINESS TAX RECEIPT\*\* A business tax receipt shall be required for all rentals as set forth in Section 3-2301. Business tax procedures and requirements shall be as set forth in Code of Ordinances Chapter 29. The fee charged for such business tax shall be as set forth in Code of Ordinances Appendix A, Division XVIII. Property described in this notice is being rented without a business tax receipt.

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THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 3/2/2021. 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.

Inspector: Julie Phillips Inspector Phone: 562-4730

Date Printed: 2/25/2021



CITY OF CLEEDER ARWATER

Planniku & 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**

HARIS, ALISHA M PRYOR, BARRY 1137 GRANADA ST CLEARWATER, FL 33755

BIZ2021-00002

ADDRESS OR LOCATION OF VIOLATION: 1137 GRANADA ST

LEGAL DESCRIPTION: LA JOLLA SUB BLK B, LOT 24

DATE OF INSPECTION: 1/5/2021

PARCEL: 03-29-15-47430-002-0240

Section of City Code Violated:

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Inspector: Julie Phillips Inspector Phone: 562-4730

Date Printed: 1/5/2021



CITY OF CLEARWATER

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**

HARRIS, ALISHA M PRYOR, BARRY 1137 GRANADA ST CLEARWATER, FL 33755

CDC2021-00016

ADDRESS OR LOCATION OF VIOLATION: 1137 GRANADA ST

LEGAL DESCRIPTION: LA JOLLA SUB BLK B, LOT 24

DATE OF INSPECTION: 1/5/2021

PARCEL: 03-29-15-47430-002-0240

Section of City Code Violated:

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Inspector: Julie Phillips Inspector Phone: 562-4730

Date Printed: 1/5/2021



# CITY OF CLEAR WATER

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## Notice of Violation

HARRIS, ALISHA M PRYOR, BARRY 1137 GRANADA ST CLEARWATER, FL 33755

CDC2021-00016

ADDRESS OR LOCATION OF VIOLATION: 1137 GRANADA ST

LEGAL DESCRIPTION: LA JOLLA SUB BLK B, LOT 24

DATE OF INSPECTION: 2/25/2021

PARCEL: 03-29-15-47430-002-0240

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.

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Inspector: Julie Phillips Inspector Phone: 562-4730

Date Printed: 2/25/2021

#### MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

## AFFIDAVIT OF POSTING

City Case Number: BIZ2021-00002

Site of Violation: 1137 GRANADA ST

- 1. Julie Phillips, being first duly sworn, deposes and says:
- 2. That I am a Code Inspector employed by the City of Clearwater.
- That on the 25th day of February, 2021, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 1137 GRANADA ST, Clearwater, Florida.

Julie Phillips

#### STATE OF FLORIDA COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of \_\_\_\_\_physical presence or \_\_\_\_\_ online notarization on this 25th day of February, 2021, by Julie Phillips.

PERSONALLY KNOWN TO ME	
	ype of Identification
Allie Stewart	
Name of Notary (typed, printed, stamped)	ALLIE STEWART

Notary Public - State of Florida Commission # GG 279146 My Comm. Expires Nov 26, 2022

#### MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

## **AFFIDAVIT OF POSTING**

City Case Number: CDC2021-00016

Site of Violation: 1137 GRANADA ST

- 1. Julie Phillips, being first duly sworn, deposes and says:
- 2. That I am a Code Inspector employed by the City of Clearwater.
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Julie Phillips

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PERSONALLY KNOWN TO ME	
REODUCED AS IDENTIFICATION	
	of Identification
(Notary Signature)	
FILLE SEWARD	
Name of Notary (typed, printed, stamped)	ALLIE STEWART

Commission # GG 279146 My Comm. Expires Nov 26, 2022 Interactive Map of this parcel Sales Query Back to Query Results New Search Tax Collector Home Page Contact Us 03-29-15-47430-002-0240 **Compact Property Record Card** Updated January 5, Email Print Radius Search Tax Estimator FEMA/WLM 2021 **Ownership/Mailing Address Change** Site Address **Mailing Address** HARRIS, ALISHA M PRYOR, BARRY 1137 GRANADA ST 1137 GRANADA ST **CLEARWATER** CLEARWATER FL 33755-1037 Property Use: 0110 (Single Current Tax District: Total Living: Total Gross **Total Living** Family Home) CLEARWATER (CW) SF: 1,271 SF: 1.511 Units:1 [click here to hide] Legal Description LA JOLLA SUB BLK B, LOT 24 🗐 File for Homestead **Tax Estimator** 2021 Parcel Use Exemption Exemption 2020 2021 Homestead: Yes No Homestead Use Percentage: 0.00% Government: No No Non-Homestead Use Percentage: 100.00% Institutional: No No Classified Agricultural: No Historic: No No Parcel Information Latest Notice of Proposed Property Taxes (TRIM Notice) Evacuation **Flood Zone** Zone **Most Recent** Sales Plat (NOT the same as Census Tract (NOT the same as Recording Comparison your evacuation **Book/Page** a FEMA Flood zone) Zone) Compare **\$302,400** <u>Sales</u> 121030261021 Preliminary to 21183/1993 🍱 D 10/76Query Current FEMA Maps **2020 Interim Value Information** Just/Market Assessed Value / County School Municipal Year Taxable Value Taxable Value Taxable Value Value SOH Cap 2020 \$258,872 \$157.613 \$107,613 \$132,613 \$107,613 [click here to hide] Value History as Certified (yellow indicates correction on file)