

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 53-21**

Certified Mail
April 19, 2021

Owner: **Luis A Gomez**
2984 St Croix Dr.
Clearwater, FL 33759-2118

Violation Address: **2984 St Croix Dr.**
04-29-16-78581-001-0540

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, May 26, 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.B, 3-919, & 3-2302** of the Clearwater City Code. (See attached Affidavit(s) of Violation).

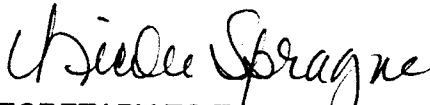
You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent 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

City Case Number: BIZ2021-00040

NAME OF VIOLATOR: LUIS GOMEZ
MAILING ADDRESS: 2984 ST CROIX DR
CLEARWATER, FL 33759-2118

VIOLATION ADDRESS: 2984 ST CROIX DR

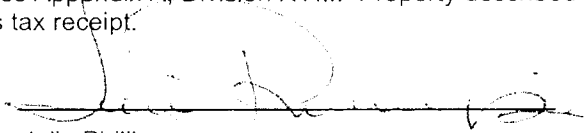
LEGAL DESCRIPTION OF PROPERTY: See "Exhibit "A", Pinellas County Property Records Printout, attached, for legal description

PARCEL #: 04-29-16-78581-001-0540

DATE OF INSPECTION: 2/11/2021 2:46:00 PM

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.


Julie Phillips

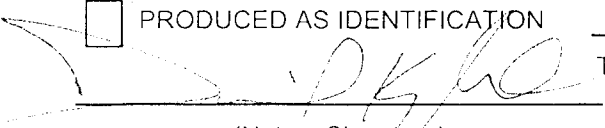
STATE OF FLORIDA
COUNTY OF PINELLAS

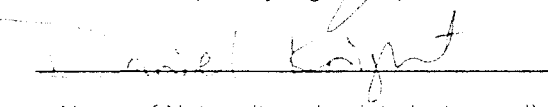
SWORN AND SUBSCRIBED before me by means of ☒ physical presence or ☐ online notarization on this 1st day of April, 2021, by Julie Phillips.

☒ PERSONALLY KNOWN TO ME

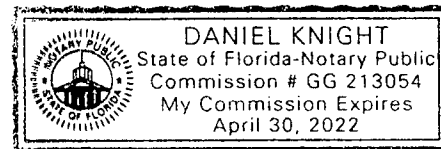
☐ PRODUCED AS IDENTIFICATION

N/A
Type of Identification


(Notary Signature)


Name of Notary (typed, printed, stamped)

FILED THIS 1 DAY OF April, 2021



MCEB CASE NO.

53-21

Secretary, Municipal Code Enforcement Board

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

City Case Number: CDC2021-00223

NAME OF VIOLATOR: LUIS GOMEZ
MAILING ADDRESS: 2984 ST CROIX DR
CLEARWATER, FL 33759-2118

VIOLATION ADDRESS: 2984 ST CROIX DR

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

PARCEL #: 04-29-16-78581-001-0540

DATE OF INSPECTION: 2/11/2021 9:51:00 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**

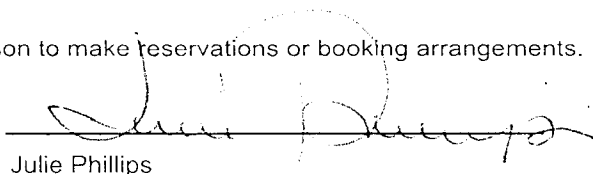
DISTRICT** Prima facie evidence of certain uses located in any residential zoning district, consisting of rentals for periods of less than 31 days or one calendar month, whichever is less, and advertising or holding out to the public as a place rented for periods of less than 31 days or one calendar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

___(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)

☒ (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.


Julie Phillips

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of ✓ physical presence or _____ online notarization on this 1st day of April, 2021, by Julie Phillips.



PERSONALLY KNOWN TO ME



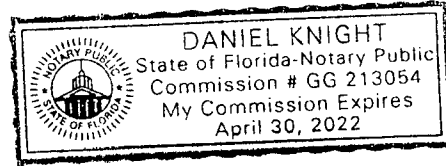
PRODUCED AS IDENTIFICATION

RV/A
Type of Identification

[Signature]
(Notary Signature)

Daniel Knight
Name of Notary (typed, printed, stamped)

FILED THIS 1 DAY OF April, 2021



MCEB CASE NO. 53-21

[Signature]
Secretary, Municipal Code Enforcement Board



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
POST OFFICE BOX 1748, CLEARWATER, FLORIDA 33758-1748
MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
TELEPHONE (727) 562-4720 FAX (727) 562-4735

Notice of Violation

LUIS GOMEZ
2984 ST CROIX DR
CLEARWATER, FL 33759-2118

BIZ2021-00040

ADDRESS OR LOCATION OF VIOLATION: **2984 ST CROIX DR**

LEGAL DESCRIPTION: SALLS' LAKE PARK 3RD ADD BLK A, LOT 54

DATE OF INSPECTION: 2/11/2021

PARCEL: 04-29-16-78581-001-0540

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.

Specifically: RESIDENTIAL RENTAL PROPERTY -BUSINESS TAX RECEIPT REQUIRED: A search of public records has found this 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.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 3/11/2021. 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: 2/11/2021

NOV_PropOwn



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
POST OFFICE BOX 1748, CLEARWATER, FLORIDA 33758-1748
MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
TELEPHONE (727) 562-1720 FAX (727) 562-1735

Notice of Violation

LUIS GOMEZ
2984 ST CROIX DR
CLEARWATER, FL 33759-2118

CDC2021-00223

ADDRESS OR LOCATION OF VIOLATION: **2984 ST CROIX DR**

LEGAL DESCRIPTION: SALLS' LAKE PARK 3RD ADD BLK A, LOT 54

DATE OF INSPECTION: 2/11/2021

PARCEL: 04-29-16-78581-001-0540

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.

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:

☒ (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)

☒ (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!



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

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

TELEPHONE (727) 562-4720 FAX (727) 562-4735

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 3/11/2021. 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.

A handwritten signature in dark ink, appearing to read "Julie Phillips", is written over a horizontal line.

Inspector: Julie Phillips
Inspector Phone: 562-4730

Date Printed: 2/11/2021

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:

- (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);
- (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.

Exhibit A

[Interactive Map of this parcel](#)
[Sales Query](#)
[Back to Query Results](#)
[New Search](#)
[Tax Collector Home Page](#)
[Contact Us](#)
04-29-16-78581-001-0540
Compact Property Record Card
[Tax Estimator](#)
Updated April 1, 2021
[Email](#) [Print](#)
[Radius Search](#)
[FEMA WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
GOMEZ, LUIS A 2984 ST CROIX DR CLEARWATER FL 33759-2118	2984 ST CROIX DR CLEARWATER



Property Use: 0110 (Single Family Home) Current Tax District: CLEARWATER (CW) Total Living: SF: 1,330 Total Gross SF: 2,165 Total Living Units: 1

[\[click here to hide\] Legal Description](#)

SALLS' LAKE PARK 3RD ADD BLK A, LOT 54

Tax Estimator	File for Homestead Exemption	2021 Parcel Use
Exemption	2021	2022
Homestead:	Yes	Yes
Government:	No	No
Institutional:	No	No
Historic:	No	No
		*Assuming no ownership changes before Jan. 1
		Homestead Use Percentage: 100.00%
		Non-Homestead Use Percentage: 0.00%
		Classified Agricultural: No

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

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone (NOT the same as a FEMA Flood Zone)	Flood Zone (NOT the same as your evacuation zone)	Plat Book/Page
212831532	\$286,900 Sales Query	121030268041	NON EVAC	Compare Preliminary to Current FEMA Maps	71/21

2020 Interim Value Information

Year	Just Market Value	Assessed Value	SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2020	\$238,578	\$238,578		\$188,578	\$213,578	\$188,578

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

Year	Homestead Exemption	Just Market Value	Assessed Value	County Taxable Value	School Taxable Value	Municipal Taxable Value
2019	Yes	\$230,558	\$122,665	\$72,665	\$97,665	\$72,665
2018	Yes	\$214,575	\$120,378	\$70,378	\$95,378	\$70,378
2017	Yes	\$221,872	\$117,902	\$67,902	\$92,902	\$67,902
2016	Yes	\$175,426	\$115,477	\$65,477	\$90,477	\$65,477
2015	Yes	\$165,829	\$114,674	\$64,674	\$89,674	\$64,674
2014	Yes	\$134,601	\$113,764	\$63,764	\$88,764	\$63,764
2013	Yes	\$117,784	\$112,083	\$62,083	\$87,083	\$62,083
2012	Yes	\$112,937	\$110,209	\$60,209	\$85,209	\$60,209
2011	Yes	\$122,558	\$106,999	\$56,999	\$81,999	\$56,999
2010	Yes	\$130,818	\$105,418	\$55,418	\$80,418	\$55,418
2009	Yes	\$157,289	\$102,647	\$52,647	\$77,647	\$52,647
2008	Yes	\$180,700	\$102,544	\$52,544	\$77,544	\$52,544
2007	Yes	\$225,300	\$99,557	\$74,557	N/A	\$74,557
2006	Yes	\$199,900	\$97,129	\$72,129	N/A	\$72,129
2005	Yes	\$169,200	\$94,300	\$69,300	N/A	\$69,300
2004	Yes	\$140,700	\$91,600	\$66,600	N/A	\$66,600
2003	Yes	\$132,300	\$88,700	\$63,700	N/A	\$63,700
2002	Yes	\$110,100	\$86,600	\$61,600	N/A	\$61,600
2001	Yes	\$106,800	\$85,300	\$60,300	N/A	\$60,300
2000	Yes	\$91,400	\$82,900	\$57,900	N/A	\$57,900
1999	Yes	\$85,000	\$80,800	\$55,800	N/A	\$55,800
1998	Yes	\$79,600	\$79,600	\$54,600	N/A	\$54,600
1997	Yes	\$81,100	\$80,500	\$55,500	N/A	\$55,500
1996	Yes	\$81,800	\$78,200	\$53,200	N/A	\$53,200

2020 Tax Information

2020 Tax Bill	Tax District: CW
2020 Final Millage Rate	20.5868

Do not rely on current taxes as an estimate following a change in ownership. A significant change in taxable value may occur after a transfer due to a loss of exemptions, reset of the Save Our Homes or 10% Cap, and/or market conditions. Please use our new [Tax Estimator](#) to estimate taxes under new ownership.

Ranked Sales (What are Ranked Sales?) [See all transactions](#)

Sale Date	Book/Page	Price	Q/U	Y/I
10 Jul 2019	20612 / 0977	\$324,900	Q	1
29 Dec 1987	06651 / 1109	\$82,900	Q	
1975	04334 / 0042	\$39,900	Q	

2020 Land Information

Seawall: No

Frontage:

View: None

7019 2970 0001 6194 4862

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

POSTAGE AND FEES

Postage	
Postnet	
Postage and Fees	

Sent to: 2984 St. Croix Dr.
City, State, ZIP+4: _____

PS Form 3811, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p><input checked="" type="checkbox"/> Complete items 1, 2, and 3.</p> <p><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to: Luis Gomez 2984 St Croix Dr Clearwater Fl 33759-2118</p> <p>2. Article Number (Transfer from service label) 7019 2970 0001 6194 4862</p>	<p>A. Signature <u>[Signature]</u> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Luis Gomez</u> C. Date of Delivery <u>FEB 23 2016</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>