

NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 112-21

Certified Mail
August 13, 2021

Owner: **Tonie Burgos**
135 Meriline Ave
Methuen, MA 01844-6325

Violation Address: **1487 Drew St, Clearwater.**
14-29-15-38736-001-0050

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, September 22, 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) **3-1502.H.1, 3-1502.H.2, 3-1502.H.3, 3-1502.H.4 & 3-1502.H.5** 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: TONIE BURGOS
MAILING ADDRESS: 135 MERILINE AVE
METHUEN, MA 01844

CITY CASE#: CDC2021-00845

VIOLATION ADDRESS: 1487 DREW ST
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 4/23/2021

LEGAL DESCRIPTION OF PROPERTY: HIGHLAND GROVES BLK A, LOTS 5 AND 6 LESS S 7FT
PARCEL #: 14-29-15-38736-001-0050

DATE OF INSPECTION: 7/29/2021 1:59:00 PM

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

3-1502.H.1. - ****ALL REQUIRED LANDSCAPING**** materials shall be maintained in accordance with the provisions of Article 3, Division 12.

3-1502.H.2. - ****LANDSCAPING REQUIRED**** 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.

3-1502.H.3. - ****LANDSCAPE MAINTENANCE**** 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.


3-1502.H.4. - ****LANDSCAPE ENCROACHMENT**** 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.

3-1502.H.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.

SPECIFICALLY,

Please remove the rocks and gravel from the front and back yard and replace them with a living ground cover using the guidelines above to come into compliance.

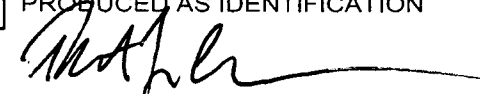
A violation exists and a request for hearing is being made.


Daniel Kasman

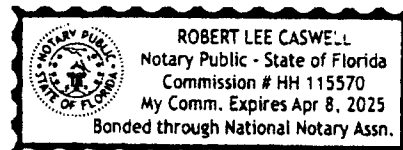
SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 29th day of July, 2021, by Daniel Kasman.

STATE OF FLORIDA
COUNTY OF PINELLAS

☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION


(Notary Signature)

Type of Identification



Affidavit_Violation

Name of Notary (typed, printed, stamped)

FILED THIS 29th DAY OF July, 20 21

MCEB CASE NO. 112-21

Wilder Sprague
Secretary, Municipal Code Enforcement Board

Section 3-1502. - Property maintenance requirements.

- A. *Minimum building and fire code requirements.* All buildings shall be maintained in accordance with the Florida Building Code, the Florida Fire Prevention Code, and the International Property Maintenance 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



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

Notice of Violation

TONIE BURGOS
135 MERILINE AVE
METHUEN, MA 01844

CDC2021-00845

ADDRESS OR LOCATION OF VIOLATION: **1487 DREW ST**

LEGAL DESCRIPTION: HIGHLAND GROVES BLK A, LOTS 5 AND 6 LESS S 7FT

DATE OF INSPECTION: 4/23/2021

PARCEL: 14-29-15-38736-001-0050

Section of City Code Violated:

3-1502.H.1. - ****ALL REQUIRED LANDSCAPING**** materials shall be maintained in accordance with the provisions of Article 3, Division 12.

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Specifically: Please remove the rocks and gravel from the front and back yard and replace them with a living ground cover using the guidelines above to come into compliance.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 5/23/2021. 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: Daniel Kasman
Inspector Phone: 727-562-4727

Date Printed: 4/23/2021

NOV_PropOwn

"Equal Employment and Affirmative Action Employer"

7/29/2021

Property Appraiser General Information

Interactive Map of this parcel

Sales Query

Back to Query Results

New Search

Tax Collector Home Page

Contact Us

14-29-15-38736-001-0050

Compact Property Record Card

Tax Estimator

Updated July 29, 2021

Email

Print

Radius Search

FEMA/WLM

Ownership/Mailing Address Change Mailing Address

BURGOS, TONIE
135 MERILINE AVE
METHUEN MA 01844-6325

Site Address

1487 DREW ST
CLEARWATER

Property Use: 0110 (Single Family Home)

Current Tax District: CLEARWATER (CW)

Total Living: SF: 1,494 Total Gross SF: 1,530 Total Living Units: 1

[click here to hide] Legal Description

HIGHLAND GROVES BLK A, LOTS 5 AND 6 LESS S 7FT

Tax Estimator

File for Homestead Exemption

Exemption	2021	2022
Homestead:	No	No
Government:	No	No
Institutional:	No	No
Historic:	No	No

2021 Parcel Use

Homestead Use Percentage: 0.00%

Non-Homestead Use Percentage: 100.00%

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
21150/1734	\$147,300 Sales Query	121030264022	NON EVAC	Compare Preliminary to Current FEMA Maps	6/75

2020 Final Value Information

Year	Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2020	\$120,880	\$120,880	\$120,880	\$120,880	\$120,880

[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	\$109,808	\$45,485	\$20,485	\$20,485	\$20,485
2018	Yes	\$89,430	\$44,637	\$19,637	\$19,637	\$19,637
2017	Yes	\$81,467	\$43,719	\$18,719	\$18,719	\$18,719
2016	Yes	\$69,182	\$42,820	\$17,820	\$17,820	\$17,820
2015	Yes	\$49,953	\$42,522	\$17,522	\$17,522	\$17,522
2014	Yes	\$43,428	\$42,185	\$17,185	\$17,185	\$17,185
2013	Yes	\$43,003	\$41,562	\$16,562	\$16,562	\$16,562
2012	Yes	\$40,867	\$40,867	\$15,867	\$15,867	\$15,867
2011	Yes	\$56,585	\$56,585	\$25,000	\$31,585	\$25,000
2010	Yes	\$65,572	\$61,458	\$25,000	\$36,458	\$25,000
2009	Yes	\$86,403	\$56,385	\$25,000	\$31,385	\$25,000
2008	Yes	\$98,600	\$56,329	\$25,000	\$31,329	\$25,000
2007	Yes	\$112,000	\$54,688	\$29,688	N/A	\$29,688
2006	Yes	\$131,700	\$53,354	\$28,354	N/A	\$28,354
2005	Yes	\$105,700	\$51,800	\$26,800	N/A	\$26,800
2004	Yes	\$80,400	\$50,300	\$25,300	N/A	\$25,300
2003	Yes	\$69,000	\$49,400	\$24,400	N/A	\$24,400
2002	Yes	\$62,600	\$48,300	\$23,300	N/A	\$23,300
2001	Yes	\$55,500	\$47,600	\$22,600	N/A	\$22,600
2000	Yes	\$46,300	\$46,300	\$21,300	N/A	\$21,300
1999	No	\$42,600	\$42,600	\$42,600	N/A	\$42,600
1998	Yes	\$35,100	\$35,100	\$9,600	N/A	\$9,600
1997	Yes	\$35,100	\$35,100	\$9,600	N/A	\$9,600
1996	Yes	\$34,200	\$34,200	\$8,700	N/A	\$8,700

2020 Tax Information

2020 Tax Bill

2020 Final Millage Rate

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.

Tax District: CW

20.5868

Ranked Sales (What are Ranked Sales?) See all transactions

Sale Date	Book/Page	Price	Q/U	V/I
27 Aug 2020	21150 / 1734	\$183,000	Q	I
1972	03913 / 0186	\$14,300	Q	

2020 Land Information

Seawall: No

Frontage:

View: None

https://www.pcpao.org

1/3

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

X *[Signature]*
B. Received by (Printed Name)



Address different from Item 1? ☐ Yes
or delivery address below: ☐ No

4/30/21

BURGOS, TON

135 MERLINE AVE

METHUEN MA 01844-6325

RE 1487 Drew St Clearwater FL



9590 9402 5667 9308 6130 51

3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

2. Article Number (Transfer from service label)

7019 2970 0001 6148 7581

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

DK

Domestic Return Receipt

USPS TRACKING #



BOSTON MA 020

PM 9 L

9590 9402 5667 9308 6130 51

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

United States
Postal Service

Received

MAY 06 2021

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: *[Signature]*

58-474848

