

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

NAME OF VIOLATOR: LINCOLN SQUARE CLEARWATER LLC CITY CASE#: PNU2021-01298
MAILING ADDRESS: 321 S MISSOURI AVE
CLEARWATER, FL 33756-5833
VIOLATION ADDRESS: 1221 ROGERS ST
CLEARWATER, FL
DATE OF OFFICIAL NOTICE OF VIOLATION:
LEGAL DESCRIPTION OF PROPERTY: LINCOLN SQUARE PROPERTIES CONDO BLDG 1, UNIT A
PARCEL #: 15-29-15-51967-001-0010
DATE OF INSPECTION: 10/14/2021 10:50:00 AM
SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE
SECTION VIOLATED

3-1503.B.7. - ****LOT CLEARING VIOLATION**** Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than twelve (12") inches, or the accumulation of debris upon property within the City of Clearwater.

3-1503.B.8. - ****UNMAINTAINED RIGHT-OF-WAY**** 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 e or edge of pavement of an improved right-of-way or private accessway or roadway by more than four inches.

3-1503.B.5.A. - ****Accumulation and Placement of Nuisances**** An 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 property 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.

SPECIFICALLY,

Please mow the lawn, edge the curb and sidewalk, and remove all garbage and debris from the grounds of the property including all items in the dumpster corral to come into compliance.

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

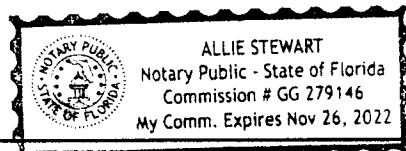
Daniel Kasman

Daniel Kasman

SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 14th day of October, 2021, by Daniel Kasman.

STATE OF FLORIDA
COUNTY OF PINELLAS

- ☒ PERSONALLY KNOWN TO ME
☐ PRODUCED AS IDENTIFICATION



Allie Stewart

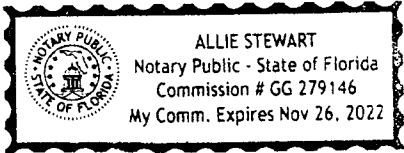
(Notary Signature)

Allie Stewart

Name of Notary (typed, printed, stamped)

Type of Identification

FILED THIS 14 DAY OF October, 2021



MCEB CASE NO. 152:21
Chelle Sprague
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) 562-4720 FAX (727) 562-4735

Notice of Violation

LINCOLN SQUARE CLEARWATER LLC
321 S MISSOURI AVE
CLEARWATER, FL 33756-5833

PNU2021-01298

ADDRESS OR LOCATION OF VIOLATION: **1221 ROGERS ST**

LEGAL DESCRIPTION: LINCOLN SQUARE PROPERTIES CONDO BLDG 1, UNIT A

DATE OF INSPECTION: 8/30/2021

PARCEL: 15-29-15-51967-001-0010

Section of City Code Violated:

3-1503.B.7. - ****LOT CLEARING VIOLATION**** Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than twelve (12") inches, or the accumulation of debris upon property within the City of Clearwater.

3-1503.B.8. - ****UNMAINTAINED RIGHT-OF-WAY**** 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.

3-1503.B.5.A. - ****Accumulation and Placement of Nuisances**** An 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 property 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.

Specifically: Please mow the lawn, edge the curb and sidewalk, and remove all garbage and debris from the grounds of the property including all items in the dumpster corral to come into compliance.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 9/7/2021. 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



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

Lot Clearing Notice of Violation

LINCOLN SQUARE CLEARWATER
LLC
321 S MISSOURI AVE
CLEARWATER, FL 33756-5833

PNU2021-01298

ADDRESS OR LOCATION OF VIOLATION: 1221 ROGERS ST
PARCEL: 15-29-15-51967-001-0010
LEGAL DESCRIPTION: LINCOLN SQUARE PROPERTIES CONDO BLDG 1, UNIT A

DATE OF INSPECTION: 8/30/2021

An inspection of this property discloses and it has been found and determined that a lot clearing violation exists on this property and/or public right-of-way abutting this property constituting a violation of:

- ☒ **Section 3-1503.B.7.** which constitutes: Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than twelve (12) inches, or the accumulation of debris upon property within the City of Clearwater.
- ☒ **Section 3-1503.B.8.** which constitutes: 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, curbline or edge of pavement of an improved right-of-way or private accessway or roadway by more than four (4) inches.
- ☐ **Section 3-1503.B.10.** which constitutes: 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 (8) feet from the sidewalk pavement measured vertically from the pavement surface is maintained, unless an exception has been granted by the urban forester.
- ☒ **Section 3-1503.B.5.a.** which constitutes: 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.

Specifically: Please mow the lawn, edge the curb and sidewalk, and remove all garbage and debris from the grounds of the property including all items in the dumpster corral to come into compliance.

THIS VIOLATION SHALL BE CORRECTED BY 9/7/2021

You are to remedy the above described condition by the above-described correction date. If you do not remedy the condition by the above-described date then a public hearing will be held on Wednesday, 10/27/2021, at 1:30 p.m. before the Municipal Code Enforcement Board in the Council Chambers, Clearwater Main Library, 100 N Osceola Ave, Clearwater, FL 33755 concerning the above described violation. Failure to appear may result in the Board proceeding in your absence.

NOV_LotClearing

"EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION EMPLOYER"



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

You have the right to obtain an attorney, at your own expense, to represent you before the Board. If you are absent but represented at the hearing, your representative must present to the Board your letter authorizing your representative to speak on your behalf. You will have the opportunity to present witnesses as well as question witnesses against you prior to the Board making a determination. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violations should you be found to be in violation of the City Code.

The case shall be presented to the Board even if the violations described above are corrected prior to the Board hearing if compliance is met after the compliance date set forth above.

Should you be found in violation of the City Code, the Municipal Code Enforcement Board has the power by law to allow the City to make all reasonable repairs which are required to bring the property into compliance and charge you with the reasonable cost of the repairs along with daily fines which may become a lien on all non-exempt real and personal property you own.

If you wish to have any witnesses subpoenaed, please contact the Secretary of the Municipal Code Enforcement Board within five (5) days at 727-562-4097. If you have any questions regarding the cited violations or if the violations are corrected prior to the hearing, please contact the Inspector whose name appears below.

Inspector: Daniel Kasman
Inspector Phone: 727-562-4727

Date Mailed: 8/30/2021

NOV_LotClearing

"EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION EMPLOYER"

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

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

City Case Number: PNU2021-01298

Site of Violation: 1221 ROGERS ST

RECEIVED

AUG 30 2021

1. Daniel Kasman, being first duly sworn, deposes and says:
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 30th day of August, 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 1221 ROGERS ST, Clearwater, Florida.

OFFICIAL RECORDS AND
LEGISLATIVE SRVCS DEPT.



Daniel Kasman

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of ☒ physical presence or ☐ online
notarization on this 30th day of August, 2021, by Daniel Kasman.

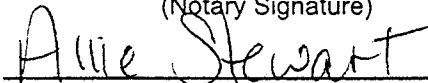
☒ PERSONALLY KNOWN TO ME

☐ PRODUCED AS IDENTIFICATION

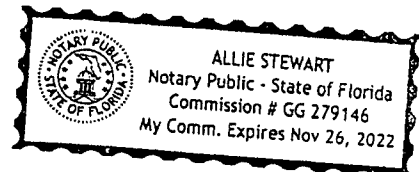


(Notary Signature)

Type of Identification



Name of Notary (typed, printed, stamped)



15-29-15-51967-001-0010

Compact Property Record Card

[Tax Estimator](#)

Updated October 13, 2021

[Email](#) [Print](#) [Radius Search](#) [FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
LINCOLN SQUARE CLEARWATER LLC 321 S MISSOURI AVE CLEARWATER FL 33756-5833	1221 ROGERS ST # A CLEARWATER



Property Use: 1738 (Condo Office (Unit)) Current Tax District: CLEARWATER (CW) Total Living SF: 855 Total Gross SF: 855 1

[click here to hide] **Legal Description**
LINCOLN SQUARE PROPERTIES CONDO BLDG 1, UNIT A

Tax Estimator <input checked="" type="checkbox"/> File for Homestead Exemption			2022 Parcel Use
Exemption	2021	2022	
Homestead:	No	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)

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
19168/0351 ■	Sales Query	121030264011	NON EVAC	Current FEMA Maps	94/1

2021 Final Value Information

Year	Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2021	\$62,500	\$62,500	\$62,500	\$62,500	\$62,500

[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
2020	No	\$59,000	\$59,000	\$59,000	\$59,000	\$59,000
2019	No	\$58,140	\$58,140	\$58,140	\$58,140	\$58,140
2018	No	\$53,416	\$53,416	\$53,416	\$53,416	\$53,416
2017	No	\$50,146	\$50,146	\$50,146	\$50,146	\$50,146
2016	No	\$40,335	\$40,335	\$40,335	\$40,335	\$40,335
2015	No	\$39,971	\$39,971	\$39,971	\$39,971	\$39,971
2014	No	\$44,000	\$44,000	\$44,000	\$44,000	\$44,000
2013	No	\$42,216	\$42,216	\$42,216	\$42,216	\$42,216
2012	No	\$49,270	\$49,270	\$49,270	\$49,270	\$49,270
2011	No	\$49,590	\$49,590	\$49,590	\$49,590	\$49,590
2010	No	\$50,980	\$50,980	\$50,980	\$50,980	\$50,980
2009	No	\$58,414	\$58,414	\$58,414	\$58,414	\$58,414
2008	No	\$69,000	\$69,000	\$69,000	\$69,000	\$69,000
2007	No	\$72,700	\$72,700	\$72,700	N/A	\$72,700
2006	No	\$72,700	\$72,700	\$72,700	N/A	\$72,700
2005	No	\$72,700	\$72,700	\$72,700	N/A	\$72,700
2004	No	\$58,100	\$58,100	\$58,100	N/A	\$58,100
2003	No	\$58,100	\$58,100	\$58,100	N/A	\$58,100
2002	No	\$53,800	\$53,800	\$53,800	N/A	\$53,800
2001	No	\$46,100	\$46,100	\$46,100	N/A	\$46,100
2000	No	\$46,100	\$46,100	\$46,100	N/A	\$46,100
1999	No	\$46,100	\$46,100	\$46,100	N/A	\$46,100
1998	No	\$46,100	\$46,100	\$46,100	N/A	\$46,100
1997	No	\$42,100	\$42,100	\$42,100	N/A	\$42,100
1996	No	\$42,100	\$42,100	\$42,100	N/A	\$42,100

2020 Tax Information

2020 Tax Bill	<u>Tax District:</u> 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	V/I
20 Apr 2016	19168 / 0351 ■	\$1,100,000	M	I
28 Feb 2002	11862 / 1062 ■	\$1,050,000	U	I
17 Jul 1997	09775 / 1787 ■	\$875,000	U	I

2021 Land Information