



Pinellas County

Legislation Details (With Text)

File #: 23-0211A **Version:** 1
Type: County Attorney Item **Status:** Passed
File created: 2/8/2023 **In control:** County Attorney
On agenda: 2/28/2023 **Final action:** 2/28/2023
Title: Proposed initiation of litigation in the case of Pinellas County v. Susan H. Caldwell - action for injunctive relief.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
2/28/2023	1	Board of County Commissioners	approved	Pass

Subject:

Proposed initiation of litigation in the case of Pinellas County v. Susan H. Caldwell - action for injunctive relief.

Recommended Action:

Approval and authorization for the County Attorney to initiate litigation in the case of Pinellas County v. Susan H. Caldwell.

Strategic Plan:

N/A

Summary:

The property, located at 1854 Elaine Dr. in unincorporated Clearwater, is owned by Susan H. Caldwell. The approved site plan for the property includes a drainage swale, which the property owner, or predecessors in interest, filled and/or altered the functionality of without obtaining a zoning clearance. These actions constitute a violation of Pinellas County Code Section 138-179, for failure to maintain the property in strict compliance with approved site plan. Additionally, minimum housing (Sec. 22-299), trash and debris (Sec. 58-304), and other zoning violations (Sec. 138-3703) exist on the property. The property owner has been afforded an opportunity to come into compliance, which they have not done, although neighboring properties have voluntarily come into site plan compliance.

This authorization includes bringing suit against all defendants that may be or become necessary and for injunctive relief as to all violations that may exist.

Background Information:

Notices of violation were issued on October 26, 2022, by Code Enforcement; Special Magistrate lien for minimum housing, trash and debris, and zoning violations was recorded on June 16, 2020.

Fiscal Impact:

Unknown.

Staff Member Responsible:

Jewel White, County Attorney

Christy Donovan Pemberton, Managing Assistant County Attorney

Partners:

N/A

Attachments:

N/A