

Legend

- Street (Labels)
- Parcel (Lines)
- Parcels (Clickable Info)
- Lot (Labels)
- Lot (Lines)



**Mike Wells**  
Property Appraiser  
Proudly Serving Pasco County, Florida

Pasco County Property Appraiser

0 0.0075 0.015 0.03 mi



12/1/2023, 4:51:36 PM

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# ATTACHMENT 2 - APPEAL

**P. Colin Rice**  
*Attorney*

crice@olderlundylaw.com  
Tampa (813) 254-8998



November 22, 2023

City of New Port Richey  
Attn: Dale Hall  
Development Director, Development Department  
5919 Main Street  
New Port Richey, FL 34652

Re: Appeal of Order to Demolish  
Parcel ID: 08-26-16-0010-05300-0020

*Via electronic mail and hand delivery*

## APPEAL OF ORDER TO DEMOLISH

Dear Mr. Hall,

Our law firm represents GOODWATER PARC, LLC, owner of real property associated with Parcel ID: 08-26-16-0010-05300-0020 in the City of New Port Richey, Florida. Pursuant to Sec. 6-190, New Port Richey City Code, the property owner appeals the City's Order to Demolish dated October 24 ("Order"). Enclosed herewith please find:

1. Written basis for appeal;
2. Check for filing fee - \$400;
3. October 24, 2023 Order to Demolish (Exhibit A);
4. Affidavit Authorizing Agent (Exhibit B);
5. Photographs of Subject Property dated 11/21/2023 (Exhibit C);
6. Work order detailing repair work (Exhibit D);
7. Division of Corporation Records identifying ownership (Exhibit E); and
8. Documentation in support of Sec. 6-190(a)(3), City Code ("Exhibit F").

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Tampa (813) 254-8998



## Summary of Appeal

The structure located at Parcel ID: 08-26-16-0010-05300-0020 was constructed in 1960, according to the Pasco County Property Appraiser. This building exists in a legal non confirming state due to the subsequent adoption of the Highway Commercial Zoning District and expansion of U.S. Highway 19. Current zoning regulations require a 35' front setback from the highway, which this 63-year-old structure does not meet as this requirement was not in place at the time of the building's construction.

Since 2021, on three separate occasions, reckless drivers have caused structural damage to the exterior of the building through no fault of ownership. The incidents occurred on 5/29/21 (Police Report No. 21-01834); 12/18/21 (Police Report No. 21-04453); and 6/3/22 (Police Report No. 22-02070). The City has elected to issue an "Order to Demolish Slum or Blighted Structure" and as bases states four sections of Sec. 6-185 New Port Richey City Code.

The enclosed Affidavit Authorizing Agent is signed by Nouhad Abou-Atallah, who is specifically listed on the Order and serves as the MGRM of VITH1, LLC, authorized person of GOODWATER PARC, LLC. Mr. Abou-Atallah resides in Canada.

## Pursuant to Sec. 6-190(a)(1) the structure does not meet the criteria for demolition set out in Sec. 6-185

Appellant contests the City's allegation that the structure meets any of criteria included in the Order. Note that the Order fails to detail a single *factual* allegation; rather, the order merely recites portions of Sec. 6-185 of the City Code. The Order was not accompanied by any sort of engineering opinion or factual basis for the order. Each cited section is addressed below:

"Section 6-185(1) - The structure, or a portion thereof has been extensively damaged by fire flood, wind, or other natural phenomena such that the building or structure is substantially destroyed or poses an immediate and manifest danger to the life, health, or safety of the general public or occupant."

*Response: The damage in question is the product of reckless motorists striking the structure. These are not natural phenomena. The building is not substantially destroyed, nor does it pose an immediate or manifest danger to the life, health, or safety of the general public or occupant. Engineer Samer Alghafari (FL License No. 56113) has been retained by the property owner to oversee this matter.*

"Section 6-185(3) - The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse."

*Response: Again, the structural damage is the result of reckless motorists and not decay, deterioration or dilapidation. The damaged areas have been secured and the structure is not at risk of collapse.*

"Section 6-185(4) - The condition of the structure, or a portion thereof, poses an immediate threat to life or property by fire or other causes."

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Attorney

crice@olderlundylaw.com  
Tampa (813) 254-8998



*Response: The damaged portions of the structure have been secured and pose no risk of threat to life or property.*

“Section 6-185(7) -The structural parts have become so dilapidated, decayed, or deteriorated, or there is an unusual sagging or leaning out of plumb of the building or any part thereof caused by deterioration or over-stressing of the structure or structural parts, that the structure is manifestly unsafe.”

*There is no unusual sagging or leaning nor has the City specifically identified any sagging or leaning. The structure is not manifestly unsafe.*

## **The structure can be reconstructed, repaired, or restored.**

As detailed *supra*, the structure does not qualify for demolition under the criteria set out in Sec. 6-185. Sec. 6-190(a)(3) affords the appellant the opportunity to appeal a demolition order on the basis that the structure can be reconstructed, repaired or restored. Included herewith as Exhibit F, please find responses from Engineer Samer Alghafari addressing this section, including:

1. List of proposed work to the structure;
2. Estimated cost;
3. Timetable for obtaining permits; and
4. Timetable for completion of the work.

This structure does not qualify for demolition in the first place. Appellant concedes that the structure has been damaged by the aforementioned reckless motorists, but these repairs are reasonable and feasible to restore the structure to its non-damaged state of integrity.

## **Legal Nonconforming Structure**

The structure’s construction in 1960, which predated US HWY 19 in it’s current state as well as present-day zoning regulations render this a legal nonconforming structure due to a change in the front setback regulations. See Sec. 7.09.04, City Code. If allowed to proceed, the demolition of this structure could serve to eliminate the private property owner’s rights to full use and enjoyment of a legally established structure. This would further represent a significant diminution in property value and future earning potential for a viable commercial site and present an inordinate burden on the property owner’s reasonable, investment-backed expectations. We are very concerned about preserving the property owner’s protections under the United States and Florida Constitutions.

## **Demand for Records**

Pursuant to Chapter 119, Florida Statutes, please accept this correspondence as demand for the following public records:

# ATTACHMENT 2 - APPEAL

**P. Colin Rice**  
*Attorney*

crice@olderlundylaw.com  
Tampa (813) 254-8998



1. All documents and photographs associated with the October 24, 2023 Order attached as Exhibit A.
2. All email communications to or from City of New Port Richey employees from November 1, 2021, to the present concerning the property at Parcel ID: 08-26-16-0010-05300-0020.
3. The name and contact information of the City's engineer tasked with evaluating the property at Parcel ID: 08-26-16-0010-05300-0020 along with any written findings connected therewith.

Thank you for your time and consideration, please direct future correspondence to my attention and do not hesitate to reach out to our office should you have questions or require additional information.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "P. Colin Rice", written over a horizontal line.

P. Colin Rice, Esq.  
Counsel for Appellant  
Florida Bar No. 109232  
Older, Lundy, Koch & Martino  
1000 W. Cass Street  
Tampa, FL 33606  
(813) 254-8998  
[crice@olderlundylaw.com](mailto:crice@olderlundylaw.com)

Cc:

Bill Larder, Building Official  
Debbie L. Manns, City Manager

# ATTACHMENT 2 - APPEAL

**Amanda Brewer**

---

**From:** Colin Rice  
**Sent:** Wednesday, November 22, 2023 9:25 AM  
**To:** Amanda Brewer  
**Subject:** FW: Demolition appeal

Please print

**P. Colin Rice**  
**Attorney at Law**  
[crice@olderlundylaw.com](mailto:crice@olderlundylaw.com)

Ph. 813.254.8998



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**From:** Manns, Debbie <[MannsD@cityofnewportrichey.org](mailto:MannsD@cityofnewportrichey.org)>  
**Sent:** Monday, November 20, 2023 9:16 AM  
**To:** Colin Rice <[crice@olderlundylaw.com](mailto:crice@olderlundylaw.com)>; Hall, Dale <[HallD@CityofNewPortRichey.org](mailto:HallD@CityofNewPortRichey.org)>; Amanda Brewer <[abrewer@olderlundylaw.com](mailto:abrewer@olderlundylaw.com)>  
**Subject:** RE: Demolition appeal

Dear Mr. Rice,

Please be advised that the appeal may be submitted in letter form.

Regards,

Debbie L. Manns, City Manager

City of New Port Richey

**Phone:** 727-853-1021

**Email:** [mannsd@cityofnewportrichey.org](mailto:mannsd@cityofnewportrichey.org)

5919 Main Street, New Port Richey, FL 34652

# ATTACHMENT 2 - APPEAL

From: Colin Rice <[crice@olderlundylaw.com](mailto:crice@olderlundylaw.com)>

Sent: Friday, November 17, 2023 4:17 PM

To: Hall, Dale <[halld@cityofnewportrichy.org](mailto:halld@cityofnewportrichy.org)>; Manns, Debbie <[MannsD@cityofnewportrichy.org](mailto:MannsD@cityofnewportrichy.org)>; Amanda Brewer <[abrewer@olderlundylaw.com](mailto:abrewer@olderlundylaw.com)>

Subject: Demolition appeal

Good afternoon Mr. Hall and Ms. Manns,

I represent a property owner who intends to submit an appeal of a demolition order pursuant to Sec. 6-190, City Code. The written petition is to be "in a form approved by the City manager or his designee." Can you assist me in getting ahold of the correct form? Many thanks in advance, this is of course time-sensitive so I appreciate your prompt attention to this matter.

Best,

**P. Colin Rice**

[crice@olderlundylaw.com](mailto:crice@olderlundylaw.com)

(813) 254-8998

Attorney at Law

OLDER LUNDY KOCH & MARTINO



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This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

PATRICK COLIN RICE  
4116 W DE LEON ST  
TAMPA, FL 33609-3852

1167  
63-4/630 FL  
23582

11/19/23 Date

Pay to the City of New Port Richey \$ 400.<sup>00</sup>  
Order of  
Four hundred \_\_\_\_\_ Dollars



**BANK OF AMERICA**

ACH R/T 063100277  
For Demo Appeal Parc LLC

*[Signature]*

MP

# ATTACHMENT 2 - APPEAL

## EXHIBIT A

October 24, 2023 Order to Demolish



## THE CITY OF **NEW PORT RICHEY** FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

### Notice to Owner/Interested Parties Demolish Slum or Blighted Structure Article VI, Chapter 6 of the Code of Ordinances

SENT VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 24, 2023

To Owners and Interested Parties:

The structure located at 5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652 has been determined by the City of New Port Richey Building Official to be a slum or blighted structure that meets the criteria for demolition in accordance with Article VI, Chapter 6, New Port Richey Code. This structure poses an immediate and manifest danger to life, health or safety of the general public or occupant.

Owners of Property and Interested Parties as reflected in the Public Records of Pasco County:

Goodwater Parc LLC  
100 S Birch Rd Ste 2701  
Fort Lauderdale FL 33316

VITH LLC  
100 S Birch Rd Unit 2701A  
Fort Lauderdale FL 33316

Goodwater Parc LLC  
100 S Birch Rd Unit 2701A  
Fort Lauderdale FL 33316

Nouhad Abou-Atallah  
100 S Birch Rd Unit 2701A  
Fort Lauderdale FL 33316

Guy D. Sperduto  
8963 Stirling Rd  
Cooper City FL 3328  
Boggs Law Group  
4554 Central Ave Ste L  
St Petersburg FL 33711

Parcel ID: 08-26-16-0010-05300-0020

Legal Description: TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS COM AT A POINT N00DEG 19' 38"E 96.55 FT FROM SW COR OF EAST 1/2 OF TRACT 53 TH N00DEG 19' 38"E 100 FT TH S89DEG 54' 00"E 73.48 FT TO WLY R/W LN OF US HWY 19 TH ALG SAID WLY R/W LN S13DEG 19' 13"W 112.74 FT TH N78DEG 08' 16"W 48.54 FT TO POB SUBJECT TO A SIGN EASEMENT PER OR 1807 PG 30 OR 9718 PG 1333

### **THE STRUCTURE SHALL BE VACATED AND SHALL NOT BE OCCUPIED**

- Section 6-185(1) - The structure, or a portion thereof has been extensively damaged by fire flood, wind, or other natural phenomena such that the building or structure is substantially destroyed or poses an immediate and manifest danger to the life, health, or safety of the general public or occupant.

# ATTACHMENT 2 - APPEAL



## THE CITY OF **NEW PORT RICHEY** FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

- Section 6-185(3) – The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse.
- Section 6-185(4) – The condition of the structure, or a portion thereof, poses an immediate threat to life or property by fire or other causes.
- Section 6-185(7) – The structural parts have become so dilapidated, decayed, or deteriorated, or there is an unusual sagging or leaning out of plumb of the building or any part thereof caused by deterioration or over-stressing of the structure or structural parts, that the structure is manifestly unsafe.

The attached order will be posted on the property on **October 24, 2023**. The owner(s) of this structure shall demolish this structure and clear the entire site by **December 23, 2023 (60 days from posting the order)**. The owner(s) or any other interested party may appeal this finding within **30 days of the date the order is posted (by November 24, 2023)**. The appeal shall be by written petition to: Development Director, 5919 Main Street, New Port Richey, FL 34652 (727-232-8946) and must be accompanied by the required \$400 filing fee or a sworn financial statement showing inability to pay the filing fee, and include all submittal requirements as provided in Code Section 6-190 (a) – (c). Only completed appeal applications are accepted.

Failure to appeal within 30 days or demolish within 60 days will cause the City of New Port Richey to have this structure demolished and cleared at the owner(s) expense without further notice or hearing. Demolition clearance will include all tangible personal property on the site.

Sincerely,

Bill Larder  
Building Official

Copy: Development Department  
City Attorney  
City Manager  
Code Enforcement

Enclosures: Order to Demolish Slum or Blighted Structure



THE CITY OF  
**NEW PORT RICHEY**  
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

NOTICE TO DEMOLISH SLUM/BLIGHTED STRUCTURE

TO BE FILED IN THE PUBLIC RECORDS IN AND FOR PASCO COUNTY, FL

Prepared by and when recorded return to:  
City of New Port Richey, Florida  
Code Enforcement Department  
6739 Adams Street, New Port Richey, FL 34652

INSTR# 2023188388 BK 10906 PG 974  
10/24/2023 11:54am Page 1 of 1  
Rcpt: 2637049 Rec: 10.00  
DS: 0.00 IT: 0.00  
Nikki Alvarez-Sowles, Esq.  
Pasco County Clerk & Comptroller

October 24, 2023

Name: GOODWATER PARC LLC

Address: 5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652

Parcel ID: 08-26-16-0010-05300-0020

Legal Description: TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS COM AT A POINT N00DEG 19' 38"E 96.55 FT FROM SW COR OF EAST 1/2 OF TRACT 53 TH N00DEG19' 38"E 100 FT TH S89DEG54' 00"E 73.48 FT TO WLY R/W LN OF US HWY 19 TH ALG SAID WLY R/W LN S13DEG19' 13"W 112.74 FT TH N78DEG08' 16"W 48.54 FT TO POB SUBJECT TO A SIGN EASEMENT PER OR 1807 PG 30 OR 9718 PG 1333

The City of New Port Richey Building Official has determined that one (1) or more structure(s) located on the above referenced property meets the criteria for demolition under Article VI, Chapter 6, Division 5 of the New Port Richey City Code. At the time of filing this notice, the determination of the Building Official is not final and can be appealed. The City of New Port Richey, through its Code Enforcement Department, is following the process outlined in Article VI, Chapter 6, Division 5 of the New Port Richey City Code, to obtain a final order authorizing demolition of the structure(s). Inquiries may be directed to the Code Enforcement Department at 6739 Adams Street, New Port Richey, FL 34652, or by calling 727-232-8946.

Bill Larder, Building Official

The foregoing instrument was acknowledged before me on 10.23.23, by Bill Larder, who is Building Official of the City of New Port Richey, Florida and () who is personally known to me or ( ) who has produced \_\_\_\_\_ as identification.



Notary Public

# ATTACHMENT 2 - APPEAL

## EXHIBIT B

Agent Authorization Affidavit

# ATTACHMENT 2 - APPEAL

## AUTHORIZATION FOR PETITIONER'S REPRESENTATIVE(S):

GOODWATER PARC, LLC

I \_\_\_\_\_, petitioner, hereby authorize P. Colin Rice; Older, Lundy, Koch & Martino to act as my representative(s) in all matters pertaining to the processing of this application. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Petitioner(s): \_\_\_\_\_

Date: Nov 20 2023

Subscribed and sworn to before me this 20<sup>th</sup> day of November, 2023 who is personally known to me and/or produced \_\_\_\_\_ as identification.

City of Mississauga, Province of Ontario

STATE OF FLORIDA, COUNTY OF PASCO

PROVINCE OF ONTARIO, CANADA, REGION OF PEEL, CITY OF MISSISSAUGA

Notary Public \_\_\_\_\_

My Commission Expires: N/A



## PETITIONER'S AFFIDAVIT:

GOODWATER PARC, LLC

I \_\_\_\_\_, petitioner or authorized representative, certify that I have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all aspects true and correct, to the best of my knowledge. (Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.)

Signature of Petitioner or Authorized Representative: \_\_\_\_\_

Date: Nov 20 2023

Subscribed and sworn to before me this 20<sup>th</sup> day of Nov., 2023 who is personally known to me and/or produced \_\_\_\_\_ as identification.

Province of Ontario, City of Mississauga

STATE OF FLORIDA, COUNTY OF PASCO

HILLSBOROUGH

Notary Public \_\_\_\_\_

My Commission Expires: N/A



# ATTACHMENT 2 - APPEAL

## EXHIBIT C

Photographs of Subject Property from November 21, 2023

# ATTACHMENT 2 - APPEAL



# ATTACHMENT 2 - APPEAL



# ATTACHMENT 2 - APPEAL



# ATTACHMENT 2 - APPEAL



# ATTACHMENT 2 - APPEAL



# ATTACHMENT 2 - APPEAL

## EXHIBIT D

Work orders detailing repair work

# ATTACHMENT 2 - APPEAL

Michael Dogali DGA

4311 Marine Parkway, New Port Richey Florida 34652

## INVOICE

June 4, 2022

For: 5319 US Hwy 19  
New Port Richey, FL

Description	Amount
<p>6/3/2022</p> <ul style="list-style-type: none"><li>- Emergency 24 hr response to board up and cleanup debris from Car entry into building</li></ul> <p>Opening on the side of building shored up as per fire department instruction. Five 4x4 post and two 2x4 boards were used in shoring</p> <p>Board up of opening from crash into building. Cleanup of loose debris on outside of building. Two sheets of plywood and two 2x4 boards were used</p> <ul style="list-style-type: none"><li>- Disposal of debris</li><li>- Final cleanup</li></ul>	
<p>6/1/2022</p> <ul style="list-style-type: none"><li>- Emergency 24 hr response</li></ul> <p>Secure both rear door</p>	
<p>Payable to: Michael Dogali DGA Funds can also be sent via Zelle to 7014212007</p>	
<p><b>Total Due</b></p>	<p><b>\$1225.00</b></p>

# ATTACHMENT 2 - APPEAL

## EXHIBIT E

Division of Corporations Records for Ownership



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Limited Liability Company  
GOODWATER PARC, LLC

### Filing Information

Document Number	L14000046392
FEI/EIN Number	82-3401263
Date Filed	03/20/2014
Effective Date	03/19/2014
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	08/29/2014
Event Effective Date	NONE

### Principal Address

100 S BIRCH RD, UNIT 2701A  
FT. LAUDERDALE, FL 33316

Changed: 08/29/2014

### Mailing Address

100 S BIRCH RD, UNIT 2701A  
FT. LAUDERDALE, FL 33316

Changed: 08/29/2014

### Registered Agent Name & Address

SPERDUTO, GUY D  
8963 STIRLING RD.  
COOPER CITY, FL 33328

Name Changed: 08/29/2014

Address Changed: 08/29/2014

### Authorized Person(s) Detail

#### **Name & Address**

Title MGRM

# ATTACHMENT 2 - APPEAL

VITH 1, LLC  
100 S BIRCH RD, UNIT 2701A  
FT. LAUDERDALE, FL 33316

### Annual Reports

Report Year	Filed Date
2021	04/13/2021
2022	03/03/2022
2023	03/22/2023

### Document Images

<a href="#">03/22/2023 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/03/2022 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/13/2021 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/04/2020 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/10/2019 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/03/2018 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/16/2017 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/19/2016 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/22/2015 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">08/29/2014 -- LC Amendment</a>	<a href="#">View image in PDF format</a>
<a href="#">08/15/2014 -- CORLCDSMEM</a>	<a href="#">View image in PDF format</a>
<a href="#">03/20/2014 -- Florida Limited Liability</a>	<a href="#">View image in PDF format</a>



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Limited Liability Company  
VITH 1, LLC

### Filing Information

**Document Number** L11000090330  
**FEI/EIN Number** 38-4099441  
**Date Filed** 08/05/2011  
**State** FL  
**Status** ACTIVE

### Principal Address

100 S BIRCH RD  
2701A  
FORT LAUDERDALE, FL 33316

Changed: 03/04/2020

### Mailing Address

100 S BIRCH RD  
2701A  
FORT LAUDERDALE, FL 33316

Changed: 08/20/2012

### Registered Agent Name & Address

SPERDUTO, GUY D  
8963 STIRLING ROAD  
COOPER CITY, FL 33328

### Authorized Person(s) Detail

#### **Name & Address**

Title MGRM

ABOU-ATALLAH, NOUHAD  
100 S BIRCH RD UNIT 2701A  
FORT LAUDERDALE, FL 33316

### Annual Reports

Report Year	Filed Date
2021	04/13/2021

# ATTACHMENT 2 - APPEAL

2022                    03/03/2022  
2023                    03/22/2023

**Document Images**

<a href="#">03/22/2023 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">03/03/2022 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/13/2021 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">03/04/2020 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">02/09/2019 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">03/03/2018 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">02/16/2017 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">02/19/2016 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">02/21/2015 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">02/22/2014 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">02/17/2013 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">08/20/2012 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">08/05/2011 -- Florida Limited Liability</a>	View image in PDF format

# ATTACHMENT 2 - APPEAL

## EXHIBIT F

Documentation in support of Sec. 6-190(a)(3), City Code

# ATTACHMENT 2 - APPEAL

Engineer Samer Alghafari (FL License No. 56113) Responses to Sec. 6-190(a)(3) Criteria:

1. List of proposed work to the structure;

*Replace damage ceiling wood frame;  
Repair damaged exterior block wall;  
Repair damaged interior load bearing wall;  
Stucco and paint building exterior;  
Remove all debris;  
Repair the glazing in front of the building.*

2. Estimated cost;

*Between \$32,580 and \$43,700.*

3. Timetable for obtaining permits; and

*Engineering plans must be prepared and permit must be obtained. The time frame for the permitting portions is 4-6 months.*

4. Timetable for completion of the work.

*Once the permit is issued we estimate that the work will take 6-9 months.*

**5319 US Hwy 19**



**Photo 1 – June 2020**



**Photo 2 – June 2020**

**ATTACHMENT 3 - PHOTOS**

**5319 US Hwy 19**



**Photo 3 - June 2021**



**Photo 4 - June 2021**

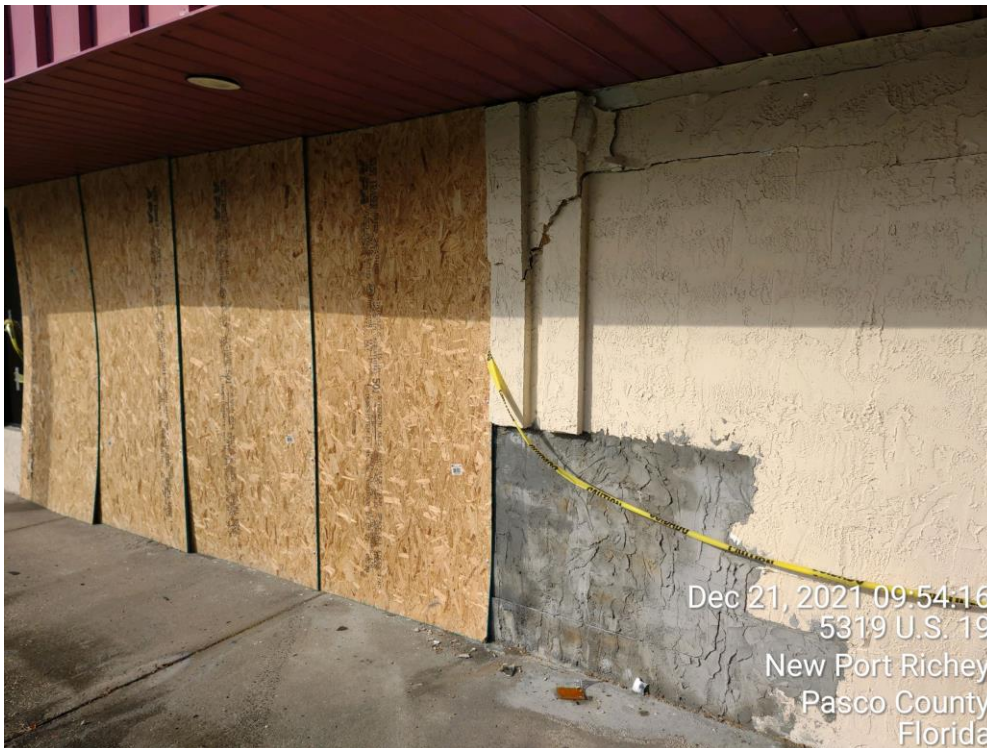
**ATTACHMENT 3 - PHOTOS**

**5319 US Hwy 19**



Network: Jun 1, 2021 at 1:53:30 PM EDT  
Local: Jun 1, 2021 at 1:53:30 PM EDT  
N 28° 14' 11.653", W 82° 43' 41.323"  
5319 US-19 S  
New Port Richey FL 34852  
United States  
Southgate Center

**Photo 5 - June 2021**



Dec 21, 2021 09:54:16  
5319 U.S. 19  
New Port Richey  
Pasco County  
Florida

**Photo 6 - December 2021**

5319 US Hwy 19



Photo 7 - December 2021



Photo 8 - December 2021

**ATTACHMENT 3 - PHOTOS**

**5319 US Hwy 19**



**Photo 9 - December 2021**



**Photo 10 - December 2021**

**ATTACHMENT 3 - PHOTOS**

**5319 US Hwy 19**



**Photo 11 – October 2023**



**Photo 12 – December 2023**

1/4/2022

Goodwater Parc LLC  
100 S Birch Rd Ste 2701  
Fort Lauderdale FL 33316

RE: 5319 Us Highway 19, New Port Richey FL 34652

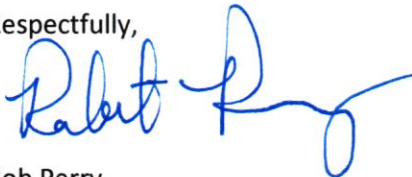
To whom it may concern,

In accordance with City of New Port Richey Code Sec. 6-142, the structure on the referenced property has been deemed unsafe and unfit for human habitation due to following;

- The structure is substantially destroyed or poses an immediate and manifest danger to the life, health, or safety of the general public or occupant.
- The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse.
- There is a serious and substantial falling away, hanging loose, or loosening of the siding, block, brick, or other building material creating a hazard for occupants or the public.
- There is an unusual sagging or leaning out of plumb of the building or any part thereof caused by deterioration or over-stressing of the structure or structural parts, that the structure is manifestly unsafe.

The structure must be demolished with an issued demolition permit from the city. With the issued demolition permit, the footer for the pre-existing sign must be removed, all stormwater inlets must be protected during demolition, and the lot must have sod or seed upon completion to prevent erosion and maintain proper drainage. Please make any permit inquiries to the development department at 727-853-1047 or 727-853-1041.

Respectfully,



Rob Perry  
Building Official



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## ATTACHMENT 5 - ATTORNEY CORRESPONDENCE

Hall, Dale

---

**From:** Driscoll, Tim  
**Sent:** Tuesday, June 21, 2022 11:25 AM  
**To:** Amy Boggs  
**Cc:** Hall, Dale; Ben Berkowitz; Faith Deruelle  
**Subject:** RE: Goodwater Park Property

Amy,

The roadway is controlled by the Florida Department of Transportation. It appears that due to setbacks, the building could not be rebuilt in its current configuration. Your client's design professional will need to review the City's land development regulations. The lot will probably have some challenges.

Very truly yours,

Timothy P. Driscoll  
City Attorney  
City of New Port Richey, Florida  
727-853-1027  
5919 Main Street  
New Port Richey, Florida 34652



Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

If the subject line of this email contains the terms "attorney work product", do not duplicate or release to the public this email or any attachment hereto without consulting with the City Attorney.

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**From:** Amy Boggs [mailto:aboggs@boggslawgroup.com]  
**Sent:** Thursday, June 16, 2022 5:52 PM  
**To:** Driscoll, Tim <DriscollT@CityofNewPortRichey.org>  
**Cc:** Hall, Dale <HallD@CityofNewPortRichey.org>; Ben Berkowitz <bberkowitz@boggslawgroup.com>; Faith Deruelle <fderuelle@boggslawgroup.com>  
**Subject:** RE: Goodwater Park Property  
**Importance:** High

Hi Tim, thank you for the email. I'm including attorney Ben Berkowitz and paralegal Faith Deruelle from my office on this. I heard about the recent accident. It is the 3<sup>rd</sup> such accident in the past year. Is the City implementing any plans to avoid further incidents? Will my client be required to move the building back from the road when he rebuilds?

Along that line, I wanted to further discuss the City's approval of plans to either – rebuild the building with the same footprint and square footage at the same location on the lot, or to fix/ repair the building. I recognize that the City would need to look at plans. **Mr. Hall**, would you have time either tomorrow (6/17) or Monday (6/20) to discuss?

## ATTACHMENT 5 - ATTORNEY CORRESPONDENCE

Finally, we will be on the lookout for the demolition order – can you please either provide it to me or at least cc me on the order? Thanks for reaching out to me before sending the order – I appreciate the professional courtesy.

Sincerely, Amy

**Amy D. Boggs, Esq.**

**Attorney at Law**

**BOGGS LAW GROUP, P.A.**

4554 Central Avenue, Suite L

St. Petersburg, FL 33711

Telephone: (727) 954-8833

Facsimile: (727) 954-8836

[aboggs@boggslawgroup.com](mailto:aboggs@boggslawgroup.com)

[https://url2.mailanyone.net/v1/?m=1o1xPd-0002MW-3h&i=57e1b682&c=GFi1peJSNAVY84rZLYO4ILcqbM1u5TihAQtCUDKyBFgK1LMvpZx0bXOez4mwSA6sK5kocHd386WJWvugpR9odq8nZKbgQHjyvyIHIQt7HsFyLaOXtpBR14t4yXLPVSRM3rnzDKRM40u51GLtmP4SDGzM6JpHefKVBW0w5UuT2luJDb\\_cjDofkcgVbqpWwufxZDKwumWEtCYKfk1M4I](https://url2.mailanyone.net/v1/?m=1o1xPd-0002MW-3h&i=57e1b682&c=GFi1peJSNAVY84rZLYO4ILcqbM1u5TihAQtCUDKyBFgK1LMvpZx0bXOez4mwSA6sK5kocHd386WJWvugpR9odq8nZKbgQHjyvyIHIQt7HsFyLaOXtpBR14t4yXLPVSRM3rnzDKRM40u51GLtmP4SDGzM6JpHefKVBW0w5UuT2luJDb_cjDofkcgVbqpWwufxZDKwumWEtCYKfk1M4I)

[g](https://url2.mailanyone.net/v1/?m=1o1xPd-0002MW-3h&i=57e1b682&c=GFi1peJSNAVY84rZLYO4ILcqbM1u5TihAQtCUDKyBFgK1LMvpZx0bXOez4mwSA6sK5kocHd386WJWvugpR9odq8nZKbgQHjyvyIHIQt7HsFyLaOXtpBR14t4yXLPVSRM3rnzDKRM40u51GLtmP4SDGzM6JpHefKVBW0w5UuT2luJDb_cjDofkcgVbqpWwufxZDKwumWEtCYKfk1M4I)



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Thank you.

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**From:** Driscoll, Tim <[DriscollT@CityofNewPortRichey.org](mailto:DriscollT@CityofNewPortRichey.org)>

**Sent:** Wednesday, June 15, 2022 3:49 PM

**To:** Amy Boggs <[aboggs@boggslawgroup.com](mailto:aboggs@boggslawgroup.com)>

**Cc:** Hall, Dale <[HalID@CityofNewPortRichey.org](mailto:HalID@CityofNewPortRichey.org)>

**Subject:** Goodwater Park Property

Amy,

I am following up on my email to you last month regarding this property. I have copied the City's Development Director on this email.

I am advising you hereby that the City will be providing your client a deadline to obtain a permit for either the demolition of the structure on the property or for rehabilitation of the structure. Engineered drawings will be required to accompany any rehabilitation permit application.

As you are aware, this structure is located precariously close to a heavily travelled high speed roadway. It is my understanding that it has been struck by yet another automobile. The structure is a safety hazard and meets the criteria for demolition in its current condition.

## ATTACHMENT 5 - ATTORNEY CORRESPONDENCE

Since you have previously been in contact with me on this, I wanted to provide you advance notice of the City's next course of action. Please proceed through the City's Development Department moving forward. This matter will proceed through the demolition process if it isn't properly addressed within the time period provided by the City.

Very truly yours,

Timothy P. Driscoll  
City Attorney  
City of New Port Richey, Florida  
727-853-1027  
5919 Main Street  
New Port Richey, Florida 34652



Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

If the subject line of this email contains the terms "attorney work product", do not duplicate or release to the public this email or any attachment hereto without consulting with the City Attorney.

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5919 Main Street  
New Port Richey, FL 34652  
Phone: (727)853-1047  
Fax: (727)853-1052

September 14, 2023

Benjamin L. Berkowitz, Esq.  
Attorney at Law  
Boggs Law Group, P.A.  
4554 Central Avenue, Suite L  
St. Petersburg, FL 33711

RE: 5319 US Highway 19 - Goodwater Parc, LLC parcel

Mr. Berkowitz,

The City has been engaged in discussions with representatives of the property owner since January 2022 for the purpose of determining whether the existing structure could be rehabilitated. This letter will address the submittals made on behalf of the owner in that regard. The City will be initiating the demolition process as a slum and blight property, if the items identified in this letter are not addressed within the next thirty (30) days.

The Concept Sketch completed by Ghafari for the Goodwater Parc, LLC parcel, ID# 08-26-16-0010, located at 5319 US Hwy 19, does not provide enough information to adequately evaluate.

A summary of the inadequacies of the Concept Sketches are as follows:

Concept 1

- A full set of building renovation plans, with a detailed cost estimate, is required. Pasco County Tax Assessor currently values the building at \$87,401. Total renovation costs for building cannot exceed 50% this value as the building is in the Special Flood Hazard Area (SFHA).
- The proposed building configuration would require, at a minimum, nine (9) parking spaces, however only six (6) are proposed. A variance would be required.
- The ingress/egress into the site is through a private parcel. Provide access easement/agreements.
- Plan does not meet Landscape requirements.
- Placement of the proposed FDOT Jersey Barrier would require approvals of the Florida Department of Transportation.

Concept 2

- A full set of building renovation plans, with a detailed cost estimate, is required. Pasco County Tax Assessor currently values the building at \$87,401. Total renovation costs for building cannot exceed 50% this value as the building is in the Special Flood Hazard Area (SFHA).

- The proposed building configuration would require, at a minimum, eleven (11) parking spaces, however only nine (9) are proposed. A variance would be required.
- The parking is proposed on property not owned by the applicant. Provide access easement/agreements.
- Plan does not meet Landscape requirements.
- Placement of proposed FDOT Jersey Barrier would require approvals of the Florida Department of Transportation.

The property owner shall be required to submit full site plans for redevelopment of the site, construction plans for building rehabilitation, and all associated variance applications.

At a minimum, the following plan submittals are required:

1. Survey prepared by registered Land Surveyor according to Code, including but not limited to:
  - a. Signed and sealed.
  - b. Footprint of all existing buildings and structures.
  - c. Legal description including all instruments creating property rights, such as deeds, easements etc.
  - d. Location of all public and private easements and streets within and immediately adjacent to the site.
  - e. Location of existing above ground utilities including fire hydrants.
  - f. Site data must be gathered and prepared within the last twelve months.
2. Site Plan prepared by registered professional according to Code, including but not limited to:
  - a. Signed and sealed.
  - b. All proposed buildings and structures.
    - i. Impervious Surface Ratio calculations.
  - c. All required setbacks including dimensions between buildings and roadways.
  - d. All existing and proposed points of access.
  - e. All required sight triangles/free vision zones.
  - f. All parking spaces, driveways, loading areas and vehicular use areas.
    - i. Parking shall be contained on site and not extend past the property line.
  - g. The type and location of all refuse collection facilities including the proposed screening to be provided.
  - h. Location of all onsite stormwater management facilities.
  - i. Location of all outdoor light fixtures.
  - j. Location of all existing and proposed sidewalks.
3. Landscape Plan prepared by registered Landscape Architect according to Code, including but not limited to:
  - a. Signed and sealed.
  - b. Detailing location of all plant materials.

5319 US Highway 19  
Conceptual Sketch Comments  
September 14, 2023

Page 3

- c. Required perimeter landscaping.
- d. Required buffer landscaping.
- e. Required interior landscaping.
- f. Comprehensive Plant List, Planting details and appropriate notes.

4. Irrigation Plan

- a. Include all details and appropriate notes on the plan.

Should you have any questions pertaining to this matter, do not hesitate to contact my office.

Sincerely,



Dale Hall, AICP

Planning & Development Director

cc: Debbie Manns, City Manager (via email)  
Tim Driscoll, City Attorney (via email)  
Erik Jay, Code Enforcement Supervisor (via email)

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# DEMOLITION OF SLUM OR BLIGHTED STRUCTURES INVESTIGATION FORM

City of New Port Richey  
 Development Department  
 City Hall, 5919 Main Street, 1<sup>st</sup> Floor  
 New Port Richey, FL 34652  
 Phone (727) 853-1016 Fax (727) 853-1052

## SITE DETAILS

Parcel ID No: 08-26-16-0010-05300-0020

Address: 5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652

Owner Name GOODWATER PARC LLC

Structure Type:  Residential  Mobile  Commercial  Historical

Electric Meter and Wires Active/Inactive/Pulled: TBD Meter No. \_\_\_\_\_

Water Service Active/Discontinued/Meter Pulled: TBD Gas: NO

## CRITERIA

**NPR Code of Ordinances Chapter 6 - Article VI – Div. 5 – Sec 6-185:** In determining whether a slum or blighted structure should be demolished, the building official or licensed building inspector working under the supervision of the building official must find the existence of one or more of the following criteria:

1.  The structure or a portion thereof has been extensively damaged by fire, flood, wind, or other natural phenomena such that the building or structure is substantially destroyed or poses an immediate and manifest danger to the life, health, or safety of the general public or occupant.
2.  The structure is so unsanitary or so utterly fails to provide the amenities essential to decent living that it is manifestly unfit for human habitation, or is likely to cause sickness or disease, so as to work injury to the life, health, or safety of the general public or occupant "Amenities essential to decent living" include, but are not limited to, the availability of potable water, at least one working toilet, and protection from exposure to the elements.
3.  The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse.
4.  The condition of the structure, or a portion thereof, poses an immediate threat to life or property by fire or other causes.
5.  The site to be cleared by demolition consists of the remains, debris, wall, chimney, or floors of or left from a building or structure that has partially or completely collapsed, fallen, or been torn down.
6.  There is a serious and substantial falling away, hanging loose; or loosening of the siding, block, brick, or other building material creating a hazard for occupants or the public.
7.  The structural parts have become so dilapidated, decayed, or deteriorated, or there is an unusual sagging or leaning out of plumb of the building or any part thereof caused by deterioration or over-stressing of the structure or structural parts, that the structure is manifestly unsafe.

## COMMENTS / FINDING

Inspector Comments (including description of the state of the structure as well as other hazardous structures located on this site):

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_  
 Signature

As the Building Official for the City of New Port Richey it is my opinion that the above findings constitutes the condition of a slum or blighted structure, and therefore declare the structure condemned. It is additionally my recommendation that this case be further processed toward voluntary or involuntary demolition of the structure.

Building Official: [Signature] Date: 10.24.23  
 Signature



THE CITY OF  
**NEW PORT RICHEY**  
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

**Notice to Owner/Interested Parties  
Demolish Slum or Blighted Structure  
Article VI, Chapter 6 of the Code of Ordinances**

SENT VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 24, 2023

To Owners and Interested Parties:

The structure located at 5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652 has been determined by the City of New Port Richey Building Official to be a slum or blighted structure that meets the criteria for demolition in accordance with Article VI, Chapter 6, New Port Richey Code. This structure poses an immediate and manifest danger to life, health or safety of the general public or occupant.

Owners of Property and Interested Parties as reflected in the Public Records of Pasco County:

Goodwater Parc LLC  
100 S Birch Rd Ste 2701  
Fort Lauderdale FL 33316

Goodwater Parc LLC  
100 S Birch Rd Unit 2701A  
Fort Lauderdale FL 33316

Guy D. Sperduto  
8963 Stirling Rd  
Cooper City FL 3328

VITH LLC  
100 S Birch Rd Unit 2701A  
Fort Lauderdale FL 33316

Nouhad Abou-Atallah  
100 S Birch Rd Unit 2701A  
Fort Lauderdale FL 33316

Boggs Law Group  
4554 Central Ave Ste L  
St Petersburg FL 33711

Parcel ID: 08-26-16-0010-05300-0020

Legal Description: TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS COM AT A POINT N00DEG 19' 38"E 96.55 FT FROM SW COR OF EAST 1/2 OF TRACT 53 TH N00DEG19' 38"E 100 FT TH S89DEG54' 00"E 73.48 FT TO WLY R/W LN OF US HWY 19 TH ALG SAID WLY R/W LN S13DEG19' 13"W 112.74 FT TH N78DEG08' 16"W 48.54 FT TO POB SUBJECT TO A SIGN EASEMENT PER OR 1807 PG 30 OR 9718 PG 1333

**THE STRUCTURE SHALL BE VACATED AND SHALL NOT BE OCCUPIED**

- Section 6-185(1) - The structure, or a portion thereof has been extensively damaged by fire flood, wind, or other natural phenomena such that the building or structure is substantially destroyed or poses an immediate and manifest danger to the life, health, or safety of the general public or occupant.



THE CITY OF  
**NEW PORT RICHEY**  
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

- Section 6-185(3) – The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse.
- Section 6-185(4) – The condition of the structure, or a portion thereof, poses an immediate threat to life or property by fire or other causes.
- Section 6-185(7) – The structural parts have become so dilapidated, decayed, or deteriorated, or there is an unusual sagging or leaning out of plumb of the building or any part thereof caused by deterioration or over-stressing of the structure or structural parts, that the structure is manifestly unsafe.

The attached order will be posted on the property on **October 24, 2023**. The owner(s) of this structure shall demolish this structure and clear the entire site by **December 23, 2023 (60 days from posting the order)**. The owner(s) or any other interested party may appeal this finding within **30 days of the date the order is posted (by November 24, 2023)**. The appeal shall be by written petition to: Development Director, 5919 Main Street, New Port Richey, FL 34652 (727-232-8946) and must be accompanied by the required \$400 filing fee or a sworn financial statement showing inability to pay the filing fee, and include all submittal requirements as provided in Code Section 6-190 (a) – (c). Only completed appeal applications are accepted.

Failure to appeal within 30 days or demolish within 60 days will cause the City of New Port Richey to have this structure demolished and cleared at the owner(s) expense without further notice or hearing. Demolition clearance will include all tangible personal property on the site.

Sincerely,

Bill Larder  
Building Official

Copy: Development Department  
City Attorney  
City Manager  
Code Enforcement

Enclosures: Order to Demolish Slum or Blighted Structure



THE CITY OF  
**NEW PORT RICHEY**  
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

NOTICE TO DEMOLISH SLUM/BLIGHTED STRUCTURE

TO BE FILED IN THE PUBLIC RECORDS IN AND FOR PASCO COUNTY, FL

Prepared by and when recorded return to:  
City of New Port Richey, Florida  
Code Enforcement Department  
6739 Adams Street, New Port Richey, FL 34652

INSTR# 2023188388 BK 10906 PG 974  
10/24/2023 11:54am Page 1 of 1  
Rcpt: 2837049 Rec: 10.00  
DS: 0.00 IT: 0.00  
Nikki Alvarez-Sowies, Esq.  
Pasco County Clerk & Comptroller

October 24, 2023

Name: GOODWATER PARC LLC

Address: 5319 US HIGHWAY 19 , NEW PORT RICHEY, FL 34652

Parcel ID: 08-26-16-0010-05300-0020

Legal Description: TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS COM AT A POINT N00DEG 19' 38"E 96.55 FT FROM SW COR OF EAST 1/2 OF TRACT 53 TH N00DEG19' 38"E 100 FT TH S89DEG54' 00"E 73.48 FT TO WLY R/W LN OF US HWY 19 TH ALG SAID WLY R/W LN S13DEG19' 13"W 112.74 FT TH N78DEG08' 16"W 48.54 FT TO POB SUBJECT TO A SIGN EASEMENT PER OR 1807 PG 30 OR 9718 PG 1333

The City of New Port Richey Building Official has determined that one (1) or more structure(s) located on the above referenced property meets the criteria for demolition under Article VI, Chapter 6, Division 5 of the New Port Richey City Code. At the time of filing this notice, the determination of the Building Official is not final and can be appealed. The City of New Port Richey, through its Code Enforcement Department, is following the process outlined in Article VI, Chapter 6, Division 5 of the New Port Richey City Code, to obtain a final order authorizing demolition of the structure(s). Inquiries may be directed to the Code Enforcement Department at 6739 Adams Street, New Port Richey, FL 34652, or by calling 727-232-8946.

Bill Larder, Building Official

The foregoing instrument was acknowledged before me on 10.24.23, by Bill Larder, who is Building Official of the City of New Port Richey, Florida and () who is personally known to me or () who has produced \_\_\_\_\_ as identification.

Notary Public



## ORDER TO DEMOLISH SLUM OR BLIGHTED STRUCTURE

This structure located at 5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652 has been found by the City of New Port Richey to be a slum or blighted structure that shall be demolished pursuant to Article VI, Division 5 of the City of New Port Richey Code of Ordinances. THIS STRUCTURE SHALL BE VACATED AND SHALL NOT BE OCCUPIED. The owner(s) of this structure shall demolish this structure and clear the entire site within 60 days of date of this order or the City of New Port Richey will cause the structure to be demolished and cleared at the owner(s) expense. Demolition and clearance will include all tangible personal property on the site, such as vehicles, appliances, etc. THE OWNER OR ANY OTHER INTERESTED PARTY MAY APPEAL THIS FINDING WITHIN 30 DAYS OF THE DATE INDICATED BELOW BY SUBMITTING A WRITTEN PETITION TO: Development Director, 5919 Main Street, New Port Richey, FL 34652, Telephone 727-232-8946. CAUTION: FAILURE TO APPEAL WITHIN 30 DAYS OR TO DEMOLISH THIS STRUCTURE WITHIN 60 DAYS WILL RESULT IN THE DEMOLITION OF THIS STRUCTURE WITHOUT FURTHER NOTICE OR HEARING. IT IS UNLAWFUL TO REMOVE OR TO MUTILATE THIS NOTICE UNTIL THE DEMOLITION ORDER IS COMPLIED WITH. FAILURE OF THE OWNER OR AN INTERESTED PARTY TO APPEAL WITHIN 30 DAYS OR TO DEMOLISH THIS STRUCTURE WITHIN 60 DAYS IS A VIOLATION OF THE CITY OF NEW PORT RICHEY'S ORDINANCES.



Bill Larder  
Building Official

Oct 24, 2023

Date



- Ad Proof -

**Order Confirmation**

10/25/2023

<b>Ad Order Number</b> 0000314172	<b>Customer</b> CITY OF NEW PORT RICHEY	<b>Payer Customer</b> CITY OF NEW PORT RICHEY	<b>PO Number</b>
<b>Sales Rep.</b> dbonett	<b>Customer Account</b> 100944	<b>Payer Account</b> 100944	<b>Ordered By</b> Alec
<b>E-Mail</b> dbonett@tampabay.com	<b>Customer Address</b> 5919 MAIN ST NEW PORT RICHEY FL 34652 USA	<b>Payer Address</b> 5919 MAIN ST NEW PORT RICHEY FL 34652 USA	<b>Customer Fax</b> 7278531052
<b>Order Taker</b> dbonett	<b>Customer Phone</b> 7278531044	<b>Payer Phone</b> 7278531044	<b>Customer EMail</b> Meyers.J@cityofnewportrichey.org
<b>Order Source</b>			<b>Special Pricing</b>

<b>Tear Sheets</b>	<b>Proofs</b>	<b>Affidavits</b>	<b>Blind Box</b>	<b>Promo Type</b>	<b>Materials</b>
0	0	2			
<b>Invoice Text</b> NOTICE TO DEMOLISH					
<b>Net Amount</b>	<b>Tax Amount</b>	<b>Total Amount</b>	<b>Payment Method</b>	<b>Payment Amount</b>	<b>Amount Due</b>
\$322.24	\$0.00	\$322.24	Invoice	\$0.00	\$322.24



- Ad Proof -

<u>Ad Number</u>	<u>Ad Type</u>	<u>Production Method</u>	<u>Production Notes</u>
0000314172-01	CLS Legal Liner	AdBooker	
<u>External Ad Number</u>	<u>Ad Attributes</u>	<u>Ad Released</u>	<u>Pick Up</u>
		No	

Ad Size  
2 X 78 li

WYSIWYG Content

- Ad Proof -

<p><b>NOTICE TO DEMOLISH SLUM OR BLIGHTED STRUCTURE ARTICLE VI, CHAPTER 6 OF THE CODE OF ORDINANCES</b></p> <p>The structures located at the addresses cited below have been determined by the City of New Port Richey Building Official to be slum or blighted in accordance with Chapter 6, Article VI, New Port Richey Code. These structures pose an immediate and manifest danger to life, health or safety of the general public or occupant. Pursuant to the City of New Port Richey Code, the owners of these structures shall demolish said structures and clear the sites within 60 days (December 23, 2023) of this order or the City of New Port Richey will cause the structures to be demolished and cleared at the owner's expense. Demolition and clearance will include all tangible personal property on the site, such as vehicles, appliances, etc. The owner or any other interested party may appeal this finding within 30 days (November 24, 2023) by submitting a written petition to: Development Director, 5919 Main Street, New Port Richey, FL 34652 (727-232-8946) and must be accompanied by the required \$400.00 filing fee or a sworn financial statement showing inability to pay the filing fee. <b>CAUTION: FAILURE TO APPEAL WITHIN 30 DAYS OR TO DEMOLISH THE STRUCTURE(S) WITHIN 60 DAYS WILL CAUSE THE CITY OF NEW PORT RICHEY TO HAVE THE STRUCTURE(S) DEMOLISHED AND CLEARED AT THE OWNER(S) EXPENSE WITHOUT FURTHER NOTICE OR HEARING. DEMOLITION CLEARANCE WILL INCLUDE ALL TANGIBLE PERSONAL PROPERTY ON THE SITE.</b></p>	<p>Address: 5208 US HIGHWAY 19, NEW PORT RICHEY, FL 34652                  Recorded Owner: New Port Richey Car Wash LLC                  Interested Parties: New Port Richey Car Wash LLC, Amberstone LLC, Timothy C Schuler, Edward O'Hanrahan                  Slum &amp; Blight Case #: SB2023-4104                  Parcel ID: 08-26-16-0010-06400-0030</p> <p>Legal Description:                  WLY 200 FT MEASURED FROM ELY LN US HWY NO 19 R/W OF NLY 100 FT OF FOLL DESC PROP COM M05T ELY COR LOT 181 OF JASMINE HEIGHTS UNIT 5 PB 7 PG 14 TH ALG NLY EXTENSION OF ELY LN LOT 181 N24DG 03° 05'E 119.11 FT FOR POB TH N65DG 56° 55'W 330.73 FT TO ELY LN US HWY NO 19 R/W TH ALG ELY LN R/W N24DG 03° 05'E 81.30 FT TH CONT ALG ELY LN R/W 210.34 FT ALG ARC OF CV L RAD 3887.72 FT CHD N22DG 30° 05'E 210.32 FT TH 569DG 02° 55'E 487.33 FT TH S24DG 03° 05'W 317.89 FT TH N65DG 56° 55'W 150 FT TO POB SAID WLY 200 FT OF NLY 100 FT OF SAID PROP MORE PARTICULARLY DESC AS COMMOSTELYCORLOT181TH N24DG 03° 05' E 119.11FT THN 65 DG 56' 55" W 330.73 FT THN 24 DG 03' 05" E 81.30 FT TH 110.33 FT ALGARC OF CVL RAD 3887.72 FT CHDN 23 DG 14' 1" E DG 41' 18" E 100.01 FT THS 69 DG 02' 55"E200FTTHS20DG57°05"W100FTTH N69DG02°55"W201.29FTTPOB OR 3344 PG 51</p> <p>Address: 5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652                  Recorded Owner: Goodwater Parc LLC                  Interested Parties: Goodwater Parc LLC, Guy D. Spurduto, WITH LLC, Nouhad Abou-Atallah, Boggs Law Group                  Slum &amp; Blight Case #: SB2023-4105                  Parcel ID: 08-26-16-0010-05300-0020</p> <p>Legal Description:                  TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS COM AT A POINT N00DEG 19° 38'E 96.55 FT FROM SW COR OF EAST 1/2 OF TRACT 53 TH N00DEG19° 38'E 100 FT TH S89DEG54° 00'E 73.48 FT TO WLY R/W LN OF US HWY 19 TH ALG SAID WLY R/W LN S130DEG19° 13"W 112.74 FT TH N78DEG08° 16"W 48.54 FT TO POB SUBJECT TO A SIGN EASEMENT PER OR 1807 PG 30 OR 9718 PG 1333</p> <p>Address: 5204 KAPOK DRIVE, NEW PORT RICHEY, FL 34652                  Recorded Owner: Estella Wright                  Interested Parties: Estella Wright, Iman McKay                  Slum &amp; Blight Case #: SB2023-3987</p>
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Parcel ID:	17-26-16-0290-00000-0810
Legal Description:	JASMINE HEIGHTS UNIT 2 PB 6 PG 100 LOT 81 OR 3220 PG 1321
November 1, 2023 & November 8, 2023	0000314172

<u>Run Date</u>	<u>Product</u>	<u>Placement</u>	<u>Position</u>	<u>Zone</u>
11/01/2023	Tampa Bay Times	Legals - CLS	Legal	BL-Pasco
11/08/2023	Tampa Bay Times	Legals - CLS	Legal	BL-Pasco

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# ATTACHMENT 9 - PASCO COUNTY APPRAISER INFORMATION

<b>Parcel ID</b>		08-26-16-0010-05300-0020 (Card: 1 of 1)							
<b>Classification</b>		01700-Office 1 Story							
<b>Mailing Address</b>		<b>Just Value</b>		<b>Property Value</b>					
GOODWATER PARC LLC		\$191,695							
100 S BIRCH RD STE 2701		Ag Land		\$0					
FORT LAUDERDALE, FL 33316-1539		Land		\$106,749					
<b>Physical Address</b>		<b>Building</b>		\$84,352					
5319 US HIGHWAY 19 , NEW PORT RICHEY, FL 34652		Extra Features		\$594					
<b>Legal Description (First 200 characters)</b>				<b>Non-School</b>		<b>School</b>			
<a href="#">See Plat for this Subdivision</a>				Assessed		\$185,800		\$191,695	
TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1				Homestead Exemption		-\$0		-\$0	
PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS				Additional Exemptions		-\$0		-\$0	
COM AT A POINT N00DEG 19' 38"E 96.55 FT FROM SW									
COR OF EAST 1/2 OF TRACT 53 TH N00DEG19' 38"E									
100 FT TH S89DEG5[...]									
<b>Jurisdiction</b>		<b>Taxable Value</b>		\$185,800		\$191,695			
<a href="#">CITY OF New PORT RICHEY</a>									
<b>Community Dev District</b>									
N/A									
<b>Land Detail</b> (Card: 1 of 1)									
Line	Use	Description	Code	Zoning	Units	Type	Price	Condition	Value
1	1700C	Office 1 Story	OPARA-1	000C	6432.640	SF	\$13.80	1.00	\$88,770
2	1700C	Office 1 Story	O-OV	000C	1.000	UN	\$17,979.00	1.00	\$17,979
<b>Additional Land Information</b>									
Acres	Tax Area	FEMA Code	Subsidence Activity			Neighborhood Code(s)			
0.15	<a href="#">6ONP</a>	AE	None Reported			<a href="#">OPAR</a>			
<a href="#">View Sketch</a> <b>Building Information - Use 1700-Offices (One Story)</b> (Card: 1 of 1)									
<b>Year Built</b>	1960		<b>Stories</b>		1.0				
<b>Exterior Wall 1</b>	Concrete Block Stucco		<b>Exterior Wall 2</b>		None				
<b>Roof Structure</b>	Flat		<b>Roof Cover</b>		Built-Up Tar and Gravel				
<b>Interior Wall 1</b>	Drywall		<b>Interior Wall 2</b>		None				
<b>Flooring 1</b>	Ceramic Clay Tile		<b>Flooring 2</b>		Carpet				
<b>Fuel</b>	Electric		<b>Heat</b>		Forced Air - Ducted				
<b>A/C</b>	Central		<b>Baths</b>		2.0				
Line	Code	Description	Sq. Feet		Value				
1	AOF01	AVERAGE OFFICE	2,448		\$84,352				
<b>Extra Features</b> (Card: 1 of 1)									
Line	Code	Description	Year	Units	Value				
1	CPAVCON	PAVING CONCRETE	1974	1,200	\$594				
<b>Sales History</b>									
<b>Previous Owner:</b>		UNITED STATES OF AMERICA							
Month/Year	Book/Page	Type	DOR Code	Condition	Amount				
5/2019	<a href="#">9915 / 3616</a>	Warranty Deed	<a href="#">11</a>	I	\$0				
4/2018	<a href="#">9718 / 1333</a>	Final Judgment	<a href="#">18</a>	I	\$0				
11/2013	<a href="#">8956 / 3177</a>	Warranty Deed	<a href="#">01</a>	I	\$220,000				
11/2005	<a href="#">6706 / 1924</a>	Warranty Deed		I	\$420,000				
9/1993	<a href="#">3199 / 0670</a>	Quit Claim Deed		I	\$0				
6/1993	<a href="#">3163 / 1078</a>	Quit Claim Deed		I	\$0				
5/1993	<a href="#">3156 / 0799</a>	Quit Claim Deed		I	\$0				
12/1992	<a href="#">3096 / 0649</a>	Warranty Deed		I	\$145,000				

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## ATTACHMENT 10 - SPECIAL WARRANTY DEED

16-FBI-004570

Record & Return To:  
London & Thurber, LLC  
3340 Peachtree Rd., N.E. Suite 2570  
Atlanta, GA 30326  
Attn: Post Closing/USMS

Cross Reference:  
OR Book 8956, Page 3177,  
Pasco County, FL records

### SPECIAL WARRANTY DEED

**KNOW ALL MEN BY THESE PRESENTS**, that the **UNITED STATES OF AMERICA**, whose address is: c/o United States Marshals Service, Asset Forfeiture Division, 1215 S. Clark Street, Arlington Virginia 22202, appearing herein through the United States Marshals Service, the Grantor, declares and acknowledges that for the price hereinafter expressed, it has sold, conveyed and delivered, and by these presents does grant, bargain, sell, transfer, assign, set over and deliver without general warranties of title, the property herein conveyed, unto:

**GOODWATER PARC, LLC**, a Florida limited liability company, the Grantee ("Grantee"), whose tax mailing address is 100 S. Birch Road, Fort Lauderdale, FL 33316,

and Grantor does hereby for and consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said Grantor in hand and paid by the Grantee, the receipt whereof is hereby acknowledged, grant, bargain and sell to the said Grantee, its successors and or assigns, the following described property, together with improvements and appurtenances thereunto belonging, to-wit:

SEE ATTACHED EXHIBIT "A" FOR THE LEGAL DESCRIPTION  
OF THE SUBJECT PREMISES BEING CONVEYED

ADDRESS: 5319 US Highway 19, New Port Richey, FL 34652

Being the same property forfeited to the United States of America pursuant to 21 U.S.C. §§ 853(a) by Final Order of Forfeiture for Certain Assets, filed April 27, 2018 in the United States District Court for the Middle District of Florida, Case 8:16-cr-00353-JSM-JSS, in the matter of *United States of America vs. Nicholas A. Borgesano, Jr.*, a copy of which is recorded in OR Book 9718, Page 1333, Pasco County, Florida public records.

**SUBJECT TO:**

1. Zoning and other governmental rules, regulations and ordinances.

ATTACHMENT 10 - SPECIAL WARRANTY DEED

2. Restrictions, covenants, conditions, easements and other matters of record.

The Grantor covenants to specially warrant the title, with limited warranty covenants only, to the Property hereby conveyed to the Grantee, its, successors and assigns, that the granted premises are free from all encumbrances made by the Grantor, and that it does warrant and defend the same to the Grantee and its successors and assigns, forever, against the lawful claims and demands of all persons claiming by, through or under the Grantor, but against none other.

TO HAVE AND TO HOLD the above described property unto Grantee, its successors and assigns forever.

Executed by said Grantor on this 7<sup>th</sup> day of May, 2019.

UNITED STATES OF AMERICA,  
by the United States Marshals Service

[Signature]  
1<sup>st</sup> Witness  
Printed Name: Martinette Jennifer

By [Signature] (Seal)  
Printed Name: Ramy Sinsch

Title: msm & program analyst

[Signature]  
2<sup>nd</sup> Witness  
Printed Name: Staci CARTER

STATE OF Virginia  
COUNTY OF Arlington

Before me, a Notary Public in and for said County and State, personally appeared the above named UNITED STATES OF AMERICA, by Ramy Sinsch its management & program analyst of the United States Marshals Service, who acknowledged that he/she did sign the foregoing instrument and the same as the free act and deed of said United States of America and of him/her personally and as such officer of said United States Marshals Service. He/she (check one)  is personally known to me or  produced \_\_\_\_\_ as proof of identification.

[Signature]  
Notary Public  
State of Virginia  
My commission expires: 8-31-19

[Notary Seal]

DAVID BRYAN WILSON  
NOTARY PUBLIC  
REGISTRATION # 7656712  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES  
AUGUST 31, 2019

**ATTACHMENT 10 - SPECIAL WARRANTY DEED****EXHIBIT "A"**

A portion of the East 1/2 of Lot 53, TAMPA AND TARPON SPRINGS LAND COMPANY SUBDIVISION, located within Section 8, Township 26 South, Range 16 East, Pasco County, Florida, being further described as follows:

Beginning at a point North 00°19'38" East a distance of 96.55 feet from the Southwest corner of the East 1/2 of Lot 53, TAMPA AND TARPON SPRINGS LAND COMPANY SUBDIVISION, as per plat thereof recorded in Plat Book 1, Pages 68-70, Public Records of Pasco County, Florida; run thence North 00°19'38" East, a distance of 100 feet; thence South 89°54'00" East, a distance of 73.48 feet to the Westerly line of U.S. Highway 19; thence along the said Westerly line, South 13°19'13" West, 112.74 feet; thence North 78°08'16" West, a distance of 48.54 feet to the Point of Beginning.

TAX ID NO.: 08-26-16-0010-05300-0020

ADDRESS: 5319 US Highway 19, New Port Richey, FL 34652

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# ATTACHMENT 11 - WATER CONSUMPTION RECORD

Read Date	Read Time	Bill #	Pay Plan	Read Code	Current	Usage	Repl Usage	Bill Usage	Bill Amt	Charge Amt	Adj Bill Amt	Avg Cons	Use Days	Banked Usage	Meter #	Meter Mfr
10/26/2023		559204	A	A	0	0	0	0	28.34	0.00	28.34	0.000	30		0 78235094	S
09/26/2023		547696	A	A	0	0	0	0	27.33	0.00	27.33	0.000	31		0 78235094	S
08/26/2023		536292	A	A	0	0	0	0	27.33	0.00	27.33	0.000	31		0 78235094	S
07/26/2023		524807	A	A	0	0	0	0	27.33	0.00	27.33	0.000	30		0 78235094	S
06/26/2023		513351	A	A	0	0	0	0	27.33	0.00	27.33	0.000	31		0 78235094	S
05/26/2023		501895	A	A	0	0	0	0	27.33	0.00	27.33	0.000	30		0 78235094	S
04/26/2023		490479	A	A	0	0	0	0	27.33	0.00	32.33	0.000	31		0 78235094	S
03/26/2023		479022	A	A	0	0	0	0	27.33	0.00	32.33	0.000	28		0 78235094	S
02/26/2023		467638	A	A	0	0	0	0	27.33	0.00	27.33	0.000	31		0 78235094	S
01/26/2023		456240	A	A	0	0	0	0	27.33	0.00	32.33	0.000	31		0 78235094	S
12/26/2022		444783	A	A	0	0	0	0	27.33	0.00	32.33	0.000	30		0 78235094	S
11/26/2022		433428	A	A	0	0	0	0	27.33	0.00	27.33	0.000	31		0 78235094	S
10/26/2022		421999	A	A	0	0	0	0	27.33	0.00	27.33	0.000	30		0 78235094	S
09/26/2022		410564	A	A	0	0	0	0	26.36	0.00	26.36	0.000	31		0 78235094	S
08/26/2022		399240	A	A	0	0	0	0	26.36	0.00	31.36	0.000	31		0 78235094	S
07/26/2022		387739	A	A	0	0	0	0	26.36	0.00	31.36	0.000	30		0 78235094	S
06/26/2022		376333	A	A	0	0	0	0	26.36	0.00	26.36	0.000	31		0 78235094	S
05/26/2022		364956	A	A	0	0	0	0	26.36	0.00	26.36	0.000	30		0 78235094	S
04/26/2022		353485	A	A	0	0	0	0	26.36	0.00	31.36	0.000	31		0 78235094	S
03/26/2022		342118	A	A	0	0	0	0	26.36	0.00	31.36	0.000	28		0 78235094	S
02/26/2022		330631	A	A	0	0	0	0	26.36	0.00	31.36	0.000	31		0 78235094	S
01/26/2022		319233	A	A	0	0	0	0	26.36	0.00	26.36	0.000	31		0 78235094	S
12/26/2021		307834	A	A	0	0	0	0	26.36	0.00	32.81	0.000	30		0 78235094	S
11/26/2021		296484	A	A	0	0	0	0	26.36	0.00	31.50	0.000	31		0 78235094	S
10/26/2021		285021	A	A	0	0	0	0	26.36	0.00	31.36	0.000	30		0 78235094	S
09/26/2021		273664	A	A	0	0	0	0	25.43	0.00	30.43	0.000	31		0 78235094	S
08/26/2021		262303	A	A	0	0	0	0	25.43	0.00	30.43	0.000	31		0 78235094	S
07/26/2021		250860	A	A	0	0	0	0	25.43	0.00	25.43	0.000	30		0 78235094	S
06/26/2021		239489	A	A	0	0	0	0	25.43	0.00	25.43	0.000	31		0 78235094	S
05/26/2021		228039	A	A	0	0	0	0	25.43	0.00	25.43	0.000	30		0 78235094	S
04/26/2021		216688	A	A	0	0	0	0	25.43	0.00	25.43	0.000	31		0 78235094	S
03/26/2021		205272	A	A	0	0	0	0	25.43	0.00	30.43	0.000	28		0 78235094	S
02/26/2021		193708	A	A	0	0	0	0	25.43	0.00	30.43	0.000	31		0 78235094	S
01/26/2021		182358	A	A	0	0	0	0	25.43	0.00	25.43	0.000	31		0 78235094	S
12/26/2020		170945	A	A	0	0	0	0	25.43	0.00	25.43	0.000	30		0 78235094	S
11/26/2020		159465	A	A	0	0	0	0	25.43	0.00	25.43	0.000	31		0 78235094	S
10/26/2020		148105	A	A	0	0	0	0	25.43	0.00	30.43	0.000	30		0 78235094	S
09/26/2020		136719	A	A	0	0	0	0	24.54	0.00	29.54	0.000	31		0 78235094	S
08/26/2020		125255	A	A	0	0	0	0	24.54	0.00	24.54	0.000	31		0 78235094	S
07/26/2020		113891	A	A	0	0	0	0	24.54	0.00	24.54	0.000	30		0 78235094	S
06/26/2020		102487	A	A	0	0	0	0	24.54	0.00	24.54	0.000	31		0 78235094	S
05/26/2020		91107	A	A	0	0	0	0	24.54	0.00	24.54	0.000	30		0 78235094	S
04/26/2020		79737	A	A	0	0	0	0	24.54	0.00	24.54	0.000	31		0 78235094	S
03/26/2020		68369	A	A	0	0	0	0	24.54	0.00	24.54	0.000	29		0 78235094	S
02/26/2020		56972	A	A	0	0	0	0	24.54	0.00	24.54	0.000	31		0 78235094	S
01/26/2020		45620	A	A	0	0	0	0	24.54	0.00	24.54	0.000	31		0 78235094	S
12/26/2019		34315	A	A	0	0	0	0	24.54	0.00	24.54	0.000	30		0 78235094	S
11/26/2019 12:00:00		15510	A	A	0	0	0	0	24.54	0.00	24.54	0.000	21		78235094	S
11/05/2019 12:00:00		10278933	A	A	0	0	0	0	0.00	0.00	0.00	0.000	32		78235094	S
10/04/2019 12:00:00		10278932	A	A	0	0	0	0	0.00	0.00	0.00	0.000	29		78235094	S
09/05/2019 12:00:00		10278931	A	A	0	0	0	0	0.00	0.00	0.00	0.000	31		78235094	S
08/05/2019 12:00:00		10278930	A	A	0	0	0	0	0.00	0.00	0.00	0.000	0		78235094	S

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# ATTACHMENT 12 – LAND DEVELOPMENT CODE EXCERPT

## **14.04.00. Abandonment/discontinuance of nonconforming uses**

If a nonconforming use of a structure or land ceases to be used for a period of twelve (12) consecutive months, or whenever public and/or private utilities serving the facility have been disconnected for a period of twelve (12) consecutive months, or a local business tax receipt for the use has not been issued for a period of twelve (12) consecutive months, use of the structure and land shall thereafter conform to the regulations of the district in which it is located and to the other regulations of this district.

(Ord. No. 1330, § 1, 11-30-93; Ord. No. 1861, § 7, 3-20-2007)

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