

Case #14-1366 1320 Olivia St. Stop Work Order



Pavers city row



3 bathrooms with toilet and lavatory and one with shower and 1 with bathtub.



Case #14-1366 1320 Olivia St. Stop Work Order

under kitchen sink





# THE CITY OF KEY WEST

## Code Compliance Division

P.O. BOX 1409  
KEY WEST, FL 33040  
(305) 809-3740

### CERTIFICATE OF COMPLAINE AFTER NOTICE OF CODE VIOLATION FOR CASE NUMBER 14-00001366

Before me personally appeared Bonnita Badgett, who being well known to me to be an Enforcement Officer of the City of Key West, Florida deposes and says:

1. That on 09/15/2014, I inspected or concluded my investigation of the conditions as set forth in the Notice of Code Violation the property located at 1320 OLIVIA ST, Key West, Florida.
2. That the violator has come into compliance with the Notice of Code Violation issued under this case number dated: 08-27-014
3. That the violator, having come into compliance by the date requested in the Notice of Code Violation or within the time granted by the undersigned will result in this matter being closed at this time and no costs or fines are due.

A handwritten signature in blue ink, appearing to read "Bonnita Badgett".

Bonnita Badgett  
City of Key West  
Code Compliance Officer

STATE OF FLORIDA  
COUNTY OF MONROE

SUBSCRIBED AND SWORN TO before me on  
09.15.14 by Bonnita Badgett,  
who is personally known to me.

A handwritten signature in black ink, appearing to be a stylized "JL".

Notary Public





## THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3740

September 5, 2014

Certified Mail Receipt# 7013 2630 0000 9541 6689

Peter Williams  
P.O. Box 121  
New York, NY 10014-0121

**Ref.: Code Case # 14-1366 1320 Olivia St. Key West, FL 33040 Kinky Construction - In violation of city ordinances: Sec. 102-158, Sec. 14-40, Sec. 18-117, Sec. 14-37, Sec. 14-359, Sec. 14-226,**

Dear Mr. Peter Williams,

According to records obtained by our City of Key West you are the owner, or register agent, property manager of the referenced property. Please be advised that the attached Notice of Code Violation is currently pending against your property located at the referenced address. This letter shall serve as notice under Florida Statute §162.09 that the resolution of this case can result in a lien being placed at the referenced property.

Sincerely,

A handwritten signature in blue ink that reads "Bonnita Badgett".

Bonnita Badgett  
Code Compliance Officer  
City of Key West  
Office: (305) 809-3762  
Cell: (305) 797-7302  
bbadgett@keywestcity.com  
Working hours Monday-Friday 8pm-5pm

A small handwritten signature in blue ink, possibly reading "JFK".



# THE CITY OF KEY WEST

## Code Compliance Division

P.O. BOX 1409  
KEY WEST, FL 33041  
(305) 809-3740

## NOTICE OF CODE VIOLATION

DATE: September 4, 2014  
RE: CASE NUMBER 14-00001366

CERTIFIED MAIL RECEIPT#: 7013 2630 0000 9541 5620

To: Michael Scoglund  
Kinky Construction  
522 Elizabeth  
Key West, FL 33040

Subject Address:  
1320 Olivia St.  
Key West, Florida 33040

According to the records of The City of Key West, you are the current property owner/ representative or the business owner at the above-referenced property. You are hereby noticed that your property is in violation of the City of Key West Code of Ordinances for the following reason(s):

**Count 1. Sec. 102-158. Stop work order and penalty.** (a) The city manager is authorized and directed to post a signed and dated notice to stop work on any site on which work is being performed in violation of the laws and regulations of the city or of the historic architectural review commission. Any person who engages in the following activities shall be guilty of an offense punishable as provided in section 1-15

(1) Performing work with actual or constructive knowledge that the work site has been posted by such notice, which notice has not been withdrawn by dated, signed order of the city manager; or  
(2) Removing, defacing, concealing or altering such notice to stop work without dated, signed authorization of the city manager.

(b) Where such offenses are of a continuing nature, no two separate offenses shall be charged against that same person for the same property within any one-hour period.

**To Wit:** On 8/27 I was in the area and noticed brick paver's being placed on the city right of way. I asked the workers if I could see their permit. There is a permit for interior work and Kinky Construction is the general contractor. I asked for a building inspector and David Ray came. There has been building, plumbing and electrical work also without permits. I placed a Stop Work Order.

**Corrective actions:** Stop all work until all the permits are in place. Electrical, Pavers, plumbing and building.

**Count 2. 14-40 Permits in Historic District**

(a) Requirements. No building or work permit required by this Code for work in the historic zoning districts of the city or in tidal waters contiguous to and within 600 feet of the historic zoning districts shall be issued until a certificate of appropriateness has been granted by vote of

A handwritten signature in blue ink, located in the bottom right corner of the page.



the historic architectural review commission, attested by signature of its presiding member, and until the city manager finds that the building or work permit conforms to all laws and regulations of the city.

**To Wit:** Placing paver's on the city right of way and on private property needs HARC approval and a permanent right of way permit and building permit.

**Corrective Action:** Stop all work until proper permits have been submitted for and picked up.

### **Count 3. Sec. 18-117 Acts declared unlawful**

It shall be unlawful for any contractor, as defined in section 18-116, operating anywhere within the city, licensed individually or as a firm contractor, or any officers, directors or qualified representatives of a firm contractor to commit any one or more of the acts or omissions set forth in this section. It shall also be unlawful for any property owner to commit any one or more of the acts or omissions set forth in this section as it may pertain to a property owner who directly employs others to perform construction work at a property. Violations of this section by a property owner shall be subject to the authority of the special master. The following acts are declared unlawful:

- (1) Contract or do any work outside the scope of operation, as set out in the definition of the particular type of contractor for which he is qualified, or to perform or offer to purport to perform any architectural or engineering or surveying services in violation of state statutes.

**To Wit:** Electrical and plumbing work needs to be done by licensed electrical and plumbing contractors.

**Corrective action:** Hire licensed Electrical and plumbing contractors to get "After the fact permits".

### **Count 4. Sec. 14-37. - Building permits; professional plans; display of permits.**

(a) Building permit required; display. Building permits shall be procured from the building official before performance of any work or construction of any character, whether permanent or temporary. Within 48 hours after it is issued, the applicant must cause the permit to be posted and displayed at the work site so that it is readily visible from an adjacent public street throughout the term of the work. No work shall be performed unless a proper permit is so posted.

(b) Professional plans required. Professional plans shall be required as follows:

(1) Plans for work requiring a building permit shall be submitted in duplicate or in triplicate if required by the state to the building official and shall be prepared by, and bear the seal of, an architect or structural engineer duly registered in the state, except if the work is by the owner-occupant upon a one- or two-family residence, and the work is cosmetic, nonstructural repair, alteration or addition.

(2) Notwithstanding subsection (b)(1) of this section, plans for work which requires a building permit and which involves mechanical, plumbing or electrical repairs, alterations or additions shall be prepared by and shall bear the impress seal of an engineer duly registered in the state, as reasonably required in the interest of health and safety by the building official.

(c) Work done by owner-occupant. A building permit may be issued to the owner-occupant of real property to construct or cause to be constructed, while the owner-occupant is present on the site, a one- or two-family residential structure for his own use and not offered for sale or lease or to repair the structure without being required to be a qualified contractor himself in accordance with this article and without being required to employ a licensed contractor. The owner-occupant may not construct or repair or cause the construction or repair of more than one such structure during any one-year period.

**To Wit:** On 8/27 I was in the area and noticed brick paver's being placed on the city right of way. I asked the workers if I could see their permit. There is a permit for interior work and Kinky Construction is the general contractor. I asked for a building inspector and David Ray came. There has been building, plumbing and electrical work also without permits. I placed a Stop Work Order.

**Corrective action:** Building permits need to be applied for and picked up to put in kitchen cabinets and brick paver's.

**Count 5. Sec. 14-359. Permit display.**

All plumbing or gas permits shall be kept on the work site or shall be in the possession of the person doing, having charge of, or performing the work and shall be exhibited upon the request of any person duly authorized to have such information.

**To Wit:** On 8/27 I was in the area and noticed brick paver's being placed on the city right of way. I asked the workers if I could see their permit. There is a permit for interior work and Kinky Construction is the general contractor. I asked for a building inspector and David Ray came. There has been building, plumbing and electrical work also without permits. I placed a Stop Work Order.

**Corrective action:** Plumbing permits are needed for installing washer, kitchen sink and 3 bathrooms, 1 with 2 fixtures and 2 with 3 fixtures.

**Count 6. 14-226 Performance of work by authorized persons.**

(a) It shall be unlawful for any person not qualified as an electrician in accordance with this article to do any electrical construction or make any repairs, alterations, additions or changes to any existing system of electrical wiring, apparatus or equipment for light, heat or power within the city limits except as provided for in subsection (c) of this section and section 14-257(a)(4).

(b) It shall be unlawful for any person to work as an electrician in the city except as provided by section 14-257(a)(4), without first qualifying.

**To Wit:** On 8/27 I was in the area and noticed brick paver's being placed on the city right of way. I asked the workers if I could see their permit. There is a permit for interior work and Kinky Construction is the general contractor. I asked for a building inspector and David Ray came. There has been building, plumbing and electrical work also without permits. I placed a Stop Work Order

**Corrective actions:** Electrical permit is needed for installation of electric stove, dryer and electric box and throughout the house.

Florida Statutes Chapter 162 and Key West Code of Ordinances Article VI authorize code enforcement proceedings. You have ten (10) days after receipt of this notice to take corrective action on the above-described violation(s). **PLEASE CONTACT THE UNDERSIGNED CODE COMPLIANCE OFFICER** so that we can assist you in achieving compliance and scheduling a re-inspection. **If corrective action is not taken within the specified 10 days, this matter will be referred to The Special Magistrate for an administrative non-criminal hearing concerning the alleged violation(s).**

The violation listed herein does not necessarily constitute all the violations that may exist with regard to this matter/property. Lack of enforcement proceedings at this time does not constitute a waiver of the right to any future notices of violations.

**IF THE VIOLATION IS CORRECTED AND THEN RECURS OR IF THE VIOLATION IS NOT CORRECTED BY THE TIME SPECIFIED BY THE CODE OFFICER, THE CASE MIGHT BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE HEARING DATE.**

PER FLORIDA STATUTES SECTION 162.09, YOUR FAILURE TO CORRECT THE VIOLATION (S) MAY RESULT IN THE IMPOSITION OF A FINE OF UP TO \$250.00/DAY, AND \$500.00/DAY FOR A REPEAT VIOLATION. IF THE VIOLATION (S) IS IRREPARABLE OR IRREVERSIBLE, A FINE OF UP TO \$5000.00 MAY BE IMPOSED BY THE SPECIAL MAGISTRATE. FINES MAY BE IMPOSED ON A PER DAY/ PER VIOLATION BASIS.

FINES THAT ARE NOT PAID MAY BECOME LIENS UPON YOUR PROPERTY AND BE RECORDED IN THE PUBLIC RECORDS OF MONROE COUNTY.

Bonnita Badgett  
Code Compliance Officer  
*City of Key West*  
(305) 809-3762

*Hand Served this* \_\_\_\_\_ *day of* \_\_\_\_\_, 2014

**RECEIVED BY:** \_\_\_\_\_

**SERVED BY:** \_\_\_\_\_



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature X <i>Peter Williams</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: <i>14-1366 HOL NOCV</i>  Peter Williams Po Box 121 New York, NY 10014-0121		B. Received by (Printed Name) <i>PETER WILLIAMS</i> C. Date of Delivery <i>9-9-14</i> D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
		3. Service Type <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7013 2630 0000 9541 6689	
PS Form 3811, July 2013		Domestic Return Receipt	

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
BB HOL 14-1366	
Postage	\$ 4.80
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.48
RECEIVED SEP 03 2014 Postmark Here	
Sent to: <i>Peter Williams</i> Street, Apt. No., or PO Box No.: <i>P.O. Box 121</i> City, State, ZIP+4: <i>NY NY 10014</i>	
PS Form 3800, August 2008 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature  <input checked="" type="checkbox"/> M Skoglund <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to: 14-1366-1320 Oliver</p> <p>Michael Skoglund  Kinky Construction  522 Elizabeth St.  Key West FL 33040</p>		<p>B. Received by (Printed Name)  M Skoglund</p> <p>C. Date of Delivery  SEP 15 2014</p>	
<p>2. Article Number  (Transfer from service label)</p>		<p>7013 2630 0000 9541 5620</p>	
<p>PS Form 3811, July 2013</p>		<p>Domestic Return Receipt</p>	

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
14-1366-1320 Oliver BB	
Postage	\$ 4.58
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.48
<p>Sent To: Michael Skoglund/Kinky Const.</p> <p>Street, Apt. No. or PO Box No.: 522 Elizabeth St.</p> <p>City, State, ZIP+4: Key West FL 33040</p>	
<p>PS Form 3800, August 2006</p> <p>See Reverse for Instructions</p>	

KEY WEST BUILDING DEPARTMENT  
604 SIMONTON STREET  
KEY WEST, FLORIDA 33040

NOTICE

ADDITIONS or CORRECTIONS  
DO NOT REMOVE

PERMIT NO.	DATE
NA	8-27-14

ADDRESS

1320 Olima

**STOP WORK**

NOTES

panels being  
installed need HARC

~~2/3 fire baths  
1 day in bath~~

~~electrical  
plumbing~~

need after re-fact  
plumbing  
& Electric

FOR CORRECTIONS CALL (305) 809-3740  
Monday through Friday

*Bonnie Badgett*

Code Enforcement Inspector