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ATTORNEYS AT LAW

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VIA HAND DELIVERY

Cheri Smith, City Clerk
City of Key West City Hall
3126 Flagler Avenue
Key West, Florida 33040

RE: Request for Mitigation of Code Enforcement Fine
Property - 1107 Virginia Street
Owner – Anola Mira

Dear Ms. Smith:

My firm represents the interests of Anola Mira with respect to her property located at 1104 Virginia Street. Pursuant to a Code Enforcement action, Special Magistrate Overby refused to grant a request for mitigation of the fines entered against Ms. Mira. By way of background, Ms. Mira is an elderly, wheelchair-bound resident of Virginia Street. She was cited for a fence which was on City property, along with a series of neighboring residents who had fences similarly situated. As she had to rely on third parties to remove the fence, the fence was not removed within the time frame for compliance. Despite compliance being met within the time frame which affords the Special Magistrate the authority to mitigate a fine, the Special Magistrate refused to do so.

Furthermore, at the request of the Special Magistrate, Assistant City Attorney Bridger and I conferred on the City's position, to which the City took no position and agreed to enter a stipulation as to same. For reference, I have attached the email correspondence between myself and Assistant City Attorney Bridger whereby he agreed to the form and content of the attached stipulation. Despite the stipulation being filed with the Special Magistrate and the City raising no objection to the requested reduction in fine, the Special Magistrate declined the mitigation request.

We hereby respectfully request the City Commission mitigate and reduce the current fines associated with 1104 Virginia Street and schedule this matter on the next regularly scheduled City Commission Meeting agenda. If you should have any questions regarding this request, please do not hesitate to contact me.

Very truly yours,



Gregory S. Oropeza, Esq.

Enclosure

cc: Anola Mira