



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final - Final

### Code Compliance Hearing

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Wednesday, April 24, 2019

1:30 PM

City Hall

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**ADA Assistance:** It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

**ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**Call Meeting to Order**

**Code Violations**

1

**Case # 18-280**

Robert Janicki

1205 11th Street

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Sec. 14-262 Request for inspection

FBC P2503.1 Inspections

FBC 1612.4 Flood Hazard Construction

Sec. 18-117 Acts declared unlawful

Officer Bonnita Badgett

Certified Service: 5-18-2018

Initial Hearing: 5-30-2018

**Continued from 27 Mar 2019 for compliance**

**Count 1:** Building, electrical and plumbing work being done without the benefit of a permits. **Count 2:** Failure to request electrical inspection for work being done without the benefit of a permit. **Count 3:** Failure to request plumbing inspections for work being done without the benefit of a permit. **Count 4:** The new rear room in the main house, the tiki hut and shed shall comply to the ordinance for structures located in the flood hazard areas. **Count 5:** Cease using an unlicensed contractor.

Lori Thompson from Trepanier and Associates attended for the respondent. Officer Bonnita Badgett gave testimony stating the City would like to request a continuance due to the fact that we have not gotten the results back from the Planning Department. Ms. Thompson did not object to a continuance. The Special Magistrate granted the request for continuance to 29 May 2019.

2

**Case # 18-1937**

Leslye Leeker

1721 Seminary Street

Sec. 58-31 Container and receptacle requirements

Sec. 58-61 Determination and levy of charge

Officer Bonnita Badgett

Certified Mail: 4-2-2019

Initial Hearing: 4-24-2019

**In compliance 22 April 2019; Request dismissal**

**Count 1:** Failure to remove garbage bins from the City right-of-way by 8pm on the day of pick up. **Count 2:** There is a past due Utility bill for \$2,969.35.

The Special Magistrate has granted the request to dismiss this case.

3

**Case # 18-2101**

Gold Empire U.S.A. / Orogold

Zohar Alon

Nir Chen

518 Duval Street

Sec. 18-705 Requirements of permit holder (3) written statement

Sec. 18-705 Requirements of permit holder (2) prices on each item

Officer Bonnita Badgett

Certified Mail: 2-5-16 - Nir Chen

Certified Mail: 2-5-2019 - Zohar Alon

Initial Hearing: 2-27-2019

**Continuance granted to 29 May 2019 - Repeat Violations**

**Count 1:** Failure to furnish to the customer a written statement showing the final total cost of the item or service. - Repeat violation reference Code Case#18-1157. **Count 2:** Failure to clearly display each cosmetic item offered for sale with each item bearing a sale price posted directly on the item. - Repeat violation reference Code Case# 18-1994.

The Special Magistrate granted the request to continue this case to 29 May 2019.

4

**Case # 19-73**

Gold Empire USA, LLC.

Zohar Alon

Nir Chen

518 Duval Street

Sec. 18-705 (3) Requirements of permit holder

Officer Bonnita Badgett

Certified Mail: 2-5-2019 - Zohar Alon

Certified Mail: 2-5-2019 - Nir Chen

Initial Hearing: 2-27-2019

**Continuance granted to 29 May 2019 - Repeat Violation**

**Count 1:** Failure to furnish to the customer a written statement showing the final cost of the item or service. Repeat violation Case# 18-1157.

The Special Magistrate granted the request to continue this case to 29 May 2019.

5

**Case # 19-103**

H and S of Key West, LLC

Hal Schuhmacker

Christian M. Zuelch - RA

324 Southard Street

Sec. 14-40 Permits in the historic districts

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Officer Bonnita Badgett

Certified Mail: 2-22-2019 - Hal Schuhmacker

Hand Served: 3-18-2019 - Christian M. Zuelch

Initial Hearing: 3-27-2019

**Continued from 27 March 2019**

**Count 1:** Failure to obtain certificate of appropriateness for exterior work on the roof of the front porch. **Count 2:** Failure to obtain a building permit for exterior work on the roof of the front porch.

No one attended for the respondent. The Special Magistrate stated there was a request for continuance which was denied. Officer Bonnita Badgett gave testimony that Mr. Schuhmacker was informed that the continuance was denied. There has been no permit applied for with either Building or HARC. The Special Magistrate stated the respondent was properly notified. Officer Badgett gave testimony that she observed exterior work done without a permit. There was a Stop Work Order placed. The City requests a Finding of the Violation with \$250 court costs and \$250 per day per count fine with compliance date of 28 May 2019. The Special Magistrate finds that there is a violation with \$250 court costs with \$250 per count per day with compliance 28 May 2019.

6

**Case # 19-105**

Gold Empire USA/Orogold  
Zohar Alon, AMBR  
Nir Chen, AMBR  
518 Duval Street  
Sec. 18-705 Requirements of permit holder (3)  
Officer Bonnita Badgett  
Certified Mail: 2-1-2019 - Nir Chen  
Certified Mail: 2-1-2019 - Zohar Alon  
Initial Hearing: 2-27-2019

**Continuance granted to 29 May 2019 - Repeat Violation**

**Count 1:** Failure to give a written statement showing the final cost of the item or service before applying cream to a customer.

**The Special Magistrate granted the request to continue this case to 29 May 2019.**

7

**Case # 18-245**

Michael Baker

Lori Wilder

3325 Eagle Avenue

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Officer Sophia Doctoche

Posted: 4-4-2019

Initial Hearing: 4-24-2019

**New Case**

**Count 1:** Failure to follow through with permit #18-1001 to change a wooden fence to a PVC fence since 15 March 2018.

Mike Baker attended this hearing. Officer Sophia Doctoche attended for City. Mr. Baker is requesting a 30 day continuance to bring the fence into compliance and code. The Special Magistrate asked if the City had an objection and Officer Doctoche stated no but she would like a Finding of Violation as this has been going on for approximately a year. Chief Assistant City Attorney Ron Ramsingh stated that this has been going on for 13 months. There has been some decision as this neighborhood has had issues with fences but we have been working with the respondent for 13 months to get him into compliance. As such, for liability purposes a Finding would be preferable. The Special Magistrate asked if the respondent was okay with the Finding and after decision stated he was okay with it. Officer Doctoche gave testimony that he replaced his fence with a PVC fence which he applied for immediately. The Planning Department gave him two oppositions which was to get a variance or cut it down. Officer Doctoche and Ms. Leto from Planning have tried numerous times to get in touch with Mr. Baker with no response back from him. The Special Magistrate asked Officer Doctoche if the timeline was accurate and she stated yes. Mr. Baker believes that all this time he was waiting for the City to tell him that he could get a permit. The Special Magistrate asked if he is admitting to what the City has stated and he stated yes. The Special Magistrate stated that by Mr. Baker's own admission that there is a code violation for the failure to follow through for permit#18-1001 to change from wood fence to PVC fence since March 2018. The Special Magistrate finds there is a violation with \$250 court cost and \$250 per day fine if compliance is not achieved by 27 May 2019. Ron Ramsingh stated there is a global resolution for legitimizing the fences in this area but this particular fence would not have been put into compliance from this proposal. Mr. Ramsingh and the Special Magistrate suggested that Mr. Baker speak with his commissioner about the fence issue.

8

**Case # 18-759**

Como Oil Company of FL  
Randi J. Huseby - RA  
1127 Truman Avenue  
F.B.C. Liquefied petroleum gas storage  
Sec. 14-40 Permits in historic district  
Sec. 14-262 Request for inspection  
Office Sophia Doctoche  
Certified Mail: 2-25-2019  
Initial Hearing: 4-24-2019

**In compliance 5 April 2019; Request dismissal**

**Count 1:** Failure to obtain permits for a newly installed propane tank.

**Count 2:** Failure to obtain a certificate of appropriateness. **Count 3:**  
Failure to obtain a final inspection for the installed propane tank.

The Special Magistrate granted the request to dismiss this case.

9

**Case # 18-1009**

Edward J Mccallum III  
Sharon S Mccallum  
2617 Staples Avenue  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-262 Request for inspection - **Request dismissal**  
Officer Sophia Doctoche  
Posted: 10-29-2018  
Initial Hearing: 11-28-2018

**In compliance 15 Mar 2019; Request dismissal**

**Count 1:** Replacement of a roof without the benefit of building permit.

**Count 2:** Failure to obtain a final inspection.

The Special Magistrate granted the request to dismiss this case.

10

**Case # 18-2089**

Duval and Caroline, LLC  
Joseph Walsh  
429 Caroline Street  
Sec. 66-109 Schedule of taxes  
Sec. 14-40 Permits in historic districts  
Officer Sophia Doctoche  
Certified Mail:  
Initial Hearing: 4-24-2019

**Request continuance to 29 May 2019 for good service**

**Count 1:** Failure to obtain seating authorization for the seats located at the subject property. **Count 2:** Failure to apply for and obtain an after the fact certificate of appropriateness for the subject property.

**The Special Magistrate granted the request to continue this case to 29 May 2019 for good service.**

11

**Case # 19-107**

Gold Empire USA, LLC/D'OR 24K  
Nir Chen - Registered Agent  
407 Front Street C  
Sec. 18-705 Requirements of permit holder  
Officer Sophia Doctoche  
Certified Mail: 2-25-2019  
Initial Hearing: 3-27-2019

**Continuance granted to 29 May 2019 - Repeat Violation**

**Count 1:** Failure to furnish to the customer a written statement showing the final total cost of the item or service. Previously cited cases - #18-1157, #18-2101, #19-73

**The Special Magistrate granted the request to continue this case to 29 May 2019**



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**Case # 19-181**

Richard C. Walker

2407 North Roosevelt Boulevard

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Officer Sophia Doctoche

Certified Mail: 3-19-2019

Initial Hearing: 4-24-2019

**Continuance granted to 29 May 2019**

**Count 1:** Built a ramp without the benefit of a permit.

**The Special Magistrate granted the request to continue this case to 29 May 2019**

13

**Case # 19-224**

Lavenir LED Advertisement, LLC

Emiro A. Pajaro - RA

616 Simonton Street

Sec. 114-103 Prohibited signs

Sec. 114-103 Prohibited signs

Sec. 108-609 Use of parking areas for purposes other than parking prohibited

Sec. 70-116 Prohibited parking

Officer Sophia Doctoche

Certified Mail: 3-23-2019

Initial Hearing: 4-24-2019

**New Case - Irreparable Violations**

**Count 1:** Vehicle with signage parked at the subject property is prohibited in the Historic District. **Count 2:** Vehicle displaying unpermitted portable and animated signs as defined in 114-101 in the historic district on 3/4/19, 3/22/19, 3/23/19, 3/17/19, 4/2/19, 4/4/19, 4/6/19, 4/12/19 and continuing daily. **Count 3:** All parking areas are to be used for automobile vehicles - no sales activity or services. **Count 4:** Vehicle was parked on a public place displaying advertisement.

Attorney Wayne LaRue Smith on behalf of Lavenir LED. The people in attendance are witnesses for the corporation. Officer Sophia Doctoche attended the hearing. Chief Assistant City Attorney Ron Ramsingh stated we have a factual stipulation for this case for Officer Doctoche's purposes as far as the existence of this truck not only parked in the Simonton Street parking lot but also driving around the historic district. Mr. Ramsingh stated the Mr. Smith is willing to stipulate to save time. Mr. Smith states yes but subject to some testimony that we would like in the record that bares on this. They do stipulate that there was a period of time when their truck was parked in the public parking lot on Angela Street and further that the truck from time to time has traveled through the streets stopping only where traffic control devices required it to in Old Town subsequent to February 22, 2019. The driver will give testimony that he only stopped for 3 minutes to use the public restroom and there is a GPS tracking device that tracks his movements. The purpose was not for him to park which is the point of the testimony. The 1st witness - the driver was asked questions pertaining to his job of driving the truck on February 22, 2019 at which time he went to the parking lot at the Fire Station on Angela Street for about 3 minutes to use the public restroom. Mr. Ramsingh asked the driver if he turned off the truck and if the lights for the signs were on or off. The driver stated the lights for the signs were on. Mr. Ramsingh asked if he has the ability to turn off the signs and he stated he is not allowed to. Mr. Ramsingh asked if the signs could be turned off and the driver stated yes they could. The 2nd witness - office worker who is in charge of the operations of the company was asked questions by Mr. Smith and gave her

statement. She stated the vehicle does have a GPS tracking device on it. The company does keep regular records. She was showed a report from Feb. 22, 2019 from the GPS which showed the time and date the truck stopped at the fire station which was for 3 minutes. Mr. Ramsingh asked was she present with the driver on that day at the fire station and she stated she was not. She was probably at home at that time. Mr. Smith has a third witness who is Richard McChesney. Mr. Ramsingh stated Mr. McChesney is a board member of HARC and he advises for HARC; and as he doesn't know what he is going to say he is very uncomfortable with the possibility of cross examining someone from HARC. Mr. McChesney did state he will be discussing HARC guidelines and he has not discussed this with the City. Mr. Ramsingh stated that maybe Mr. Smith can proper what he anticipates what he will say and avoid this. Mr. Smith agreed. He stated that a representative from the company consulted with Mr. McChesney and he stated that vehicle signs were not prohibited. His client did acquire a business tax receipt for this business. They are not saying that a business tax receipt does not modify the obligation to comply with code ordinance. Mr. Ramsingh states that with receiving a BTR you must still comply with all code ordinances. Mr. Smith is submitting photos with what they would call advertising on vehicles.

Mr. Ramsingh gave his legal argument. The respondents are charged with Sec. 70-116 which is prohibited parking. There is no despite that this is a vehicle that was parked on a public place was for the purpose of advertising as he chose not to turn off the signs. Count 114-103 is more problematic which are prohibited signs. The last count is 108-609 which is use of parking for purposes other than parking prohibited. The portable sign definition does contemplate an element of vehicles. He thinks there is a legislative intent to regulate vehicles for purposes of advertising as a primary business. The City believes they have established a prima facie case of a violation of all counts. Mr. Smith gave his legal argument. He stated about the three minute parking that it was established that the purpose of the driver was not to advertise but to use the public facility only. The real issue here is traveling about the right of way. We agree the definition of a portable sign matches this particular vehicle but the cited violation is prohibited signs. Mr. Smith says it is questionable using a land development regulation which is designed for HARC for signs that are on buildings. The predicate is that the signs are prohibited to any building or site plainly stating a site or building. He believes for whatever reason, someone has requested that Code Compliance cite this vehicle because they do not like it in Old Town. This is a policy issue that has not been addressed in the Code of Ordinances. This code plainly cites building or sites not vehicles in the public right of way. Vehicles are not prohibited in the Code of Ordinances for this particularly activity. This is not a violation as the code is written.

Mr. Ramsingh wanted to reiterate the testimony that it was not his primary intent to advertise but he did have the choice to turn off the sign but since he stopped and locked the vehicle it showed his intent to park the vehicle. The Special Magistrate asked Mr. Smith if the driver talked to anyone while he was stopped at the restroom. Mr. Smith stated that Jim Young had stopped and asked him for a business card which he supplied to him. He only spoke to Jim Young.

The Special Magistrate stated he wants their arguments submitted to him in writing by Fri. May 10, 2019 by 5pm.

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**Case # 19-240**

IV's in the Keys

Danette Nelson - RA

531 Whitehead Street

Sec. 14-40 Permits in historic districts

Sec. 114-103 Prohibited signs

Officer Sophia Doctoche

Certified Mail: 3-25-2019

Initial Hearing: 4-24-2019

**New Case**

**Count 1:** Failure to obtain a certificate of appropriateness for lattice and signs. Previous case# 18-2028 - cited for sec. 114-103. **Count 2:** Business signs at the subject property have previously been cited case# 18-2028. The signs are prohibited in the historic district and have not been approved by HARC.

**No one appeared for the respondent. Officer Sophia Doctoche gave testimony that there were two signs for IV's in the Keys that have not been permitted and as of today they are still hanging. The Special Magistrate stated there was proper notice and the respondent failed, refused or neglected to appear. The City requests a Finding of the Violation with \$250 court cost and \$250 per day per count with compliance on 29 May 2019. The Special Magistrate finds that there was proper notice of the violation with substantial competent evidence of the violation with \$250 court cost and \$250 per day per count with compliance by 28 May 2019.**

15

**Case # 19-271**

James and Laura Thornbrugh  
2016 Roosevelt Drive  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Sophia Doctoche  
Posted: 4-4-2019  
Initial Hearing: 3-27-2019

**Continued from 27 March 2019**

**Count 1:** Did not renew their property rental business tax receipt that has been expired since 30 Sept 2018. Repeat violation - Cases #16-688 and 17-1060.

No one appeared for the respondent. Officer Sophia Doctoche gave testimony that did not renew their non-transient license and they have previously been cited. The respondent received proper notice. The City requests \$250 court costs and \$750 per day per count. Mr. Ramsingh stated that it should be \$500 per count per day for repeat. The Special Magistrate granted the request for \$250 court cost with \$500 per count per day with compliance on 6 May 2019 by 5pm. The compliance hearing will be 29 May 2019.

16

**Case # 19-272**

James and Laura Thornbrugh  
2014 Roosevelt Drive  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Sophia Doctoche  
Posted: 4-4-2019  
Initial Hearing: 3-27-2019

**Continued from 27 March 2019**

**Count 1:** Did not renew their property rental business tax receipt that has been expired since 30 Sept 2018. Repeat violation - Cases #16-688, 17-1060 and 17-1056.

No one appeared for the respondent. Officer Sophia Doctoche gave testimony that did not renew their non-transient license and they have previously been cited. The respondent received proper notice. The City requests \$250 court costs and \$750 per day per count. The Special Magistrate granted the request for \$250 court cost with \$500 per count per day with compliance on 6 May 2019 by 5pm. The compliance hearing will be held on 29 May 2019.

17

**Case # 19-416**

Brendan C. Milligan  
1430 Grinnell Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Sophia Doctoche  
Certified Mail: 3-23-2019  
Initial Hearing: 4-24-2019

**New Case**

**Count 1:** Failure to renew their license since 30 September 2018.

**No one attended for the respondent. Officer Sophia Doctoche gave testimony that Mr. Milligan is delinquent for his contractor business tax receipt. The City requests \$250 court costs with \$250 per day per count fine with compliance 28 May 2019. The compliance hearing will be held on 29 May 2019.**

18

**Case # 19-517**

Alan Ronald Walker  
1111 Watson Street D  
Sec. 18-150 Certificate of competency required  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions  
Sec. 14-40 Permits in historic districts  
Officer Sophia Doctoche  
Certified Mail:  
Initial Hearing: 4-24-2019

**Request continuance to 29 May 2019 for good service**

**Count 1:** Alan Walker is not recognized as a licensed contractor and is advertising on social media. **Count 2:** Alan Ronald Walker has not obtained a business tax receipt for his business within City limits. **Count 3:** Failure to obtain permits for work being performed to the wall at the rear of the subject property. **Count 4:** Failure to obtain a certificate of appropriateness for work being performed.

**The Special Magistrate granted the request to continue this case to 29 May 2019 for good service.**

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**Case # 19-49**

Diane M. Wood

1202 Von Phister Street

Sec. 26-126 Clearing of property of debris and noxious material required

Sec. 108-677 Parking and storage of certain vehicles

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptionsSec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Sec. 14-40 Permits in historic districts

Sec. 14-40 Permits in historic districts

Officer Lindsey Dunlap

Certified Mail: 3-28-2019

Initial Hearing: 4-24-2019

**Continuance granted to 27 June 2019**

**Count 1:** Failure to remove accumulated debris and yard waste from the subject location. **Count 2:** A dozen vehicles with expired or no tags being stored on the subject location. **Count 3:** Stop work order was placed for a shed being built without the benefit of a permit. **Count 4:** Removal of siding in the rear side of the property without the benefit of a permit. **Count 5:** Failure to obtain a certificate of appropriateness for a shed being built. **Count 6:** Failure to obtain a certificate of appropriateness for the removal and replacement of siding.

**The Special Magistrate granted the request to continue this case to 27 June 2019.**

20

**Case # 19-189**

Noam Zano

2117 Harris Avenue

Sec. 90-363 Certificate of occupancy required

Sec. 58-61 Determination and levy of charge

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Sec. 90-363 Certificate of occupancy required

Sec. 58-61 Determination and levy of charge

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Officer Lindsey Dunlap

Certified Mail: 4-5-2019

Initial Hearing: 4-24-2019

**New Case****Count 1:** Failure to obtain a certificate of occupancy for rear unit 1.**Count 2:** Failure to pay impact fees related to utilities for rear unit 1.**Count 3:** Failure to obtain required building permits and inspections for  
rear unit 1. **Count 4:** Failure to obtain a certificate of occupancy for rearunit 2. **Count 5:** Failure to pay impact fees related to rear unit 2. **Count****6:** Failure to obtain required building permits and inspections for rear  
unit 2.

Lori Thompson of Trepanier and Associates attended for the respondent. Officer Lindsey Dunlap gave testimony that she was able to photograph the illegal units. Ms. Thompson stated that on behalf of the property owner that they admit to the violation and she had submitted a LUD application to the city yesterday and would request a continuance. Ron Ramsingh stated the city would like to see a Finding of the violation and the city would be very generous with a continuance. Ms. Thompson stated there is no problem with the Finding today with an extended compliance period. The Special Magistrate stated by admission by the respondent there will be a court cost of \$250 with a fine of \$250 per day per count with compliance by 31 July 2019.



21

**Case # 18-536**

Brugman Holdings LLC - Owner

Thomas J Sireci, Jr - Registered Agent

10 Hilton Haven Drive C

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Officer Leonardo Hernandez

Certified Service: 5-30-2018 - Owner

Certified Service: 5-23-2018 - Registered Agent

Initial Hearing: 6-27-2018

**Continued from 27 March 2019 for compliance**

**Count 1:** Failure to obtain an after-the-fact building permit for interior framing of shed and dock behind shed.

Attorney Sireci and Rick Babbit of RC Construction attended this hearing for the respondent. Officer Leonardo Hernandez gave testimony that this case is here for compliance and is not in compliance as of today. Mr. Sireci stated they are trying to get the approval from the Corp. of Engineering. They are still waiting for a decision. They have gotten a demolition permit but would like to wait for approximately six months to see what the Corp.'s decision will be. If they approve, they will get an after-the-fact. If not, they will demolish it. They would be willing to update the City every month. The Special Magistrate said he would agree to 30 days continuance so as to be proactive in resolving this issue. The Special Magistrate asked what is the City's position and Officer Hernandez stated the City objects on the basis that there has been eight continuances. Mr. Babbit gave testimony that he applied to the Corp. seven months ago with no contact from the case worker for several months so I obtained a demolition permit. The case worker got back to Mr. Brugman and told him that it could possibly be a favorable outcome for the permit. The Special Magistrate granted a continuance for 30 days to May 29 with the understanding that if nothing is happening pretty soon that they will be looking at demolition for this case.

22

**Case # 18-556**

Wendall A. Wall

4 Go Lane

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Officer Leonardo Hernandez

Certified Service: 5-18-2018

Initial Hearing: 6-27-2018

**In compliance 8 April 2019; Request dismissal**

**Count 1:** Failure to obtain after-the-fact building permit for fence with required supporting documents provided to the Planning Department and Urban Forestry Manager.

**The Special Magistrate granted the request to dismiss this case.**

23

**Case # 18-1917**

Westwinds Key West LLC

Douglas Loehr

904 Eaton Street

Sec. 18-601 License required

Sec. 90-363 Certificate of occupancy required

Officer Leonardo Hernandez

Certified Mail: 3-25-2019 - Douglas Loehr

Certified Mail: 3-18-2019 - Westwinds Key West LLC

Initial Hearing: 4-24-2019

**In compliance 15 April 2019; Request dismissal**

**Count 1:** Failure to provide required update of the occupational license to reflect accurate unit count as required for the lawful unit determination process. **Count 2:** Failure to provide as-built certificate as required for the lawful unit determination process.

**The Special Magistrate granted the request to dismiss this case.**

24

**Case # 18-2079**

Collage Beauty

Far Beauty LLC - Business Owner

Raziel Buchris - Title Ambassador

Aviv Shmuel - Registered Agent

211 Duval Company - Property Owner

211 Duval Street A

Sec. 18-415 Restrictions in historic district

Officer Leonardo Hernandez

Certified Mail: 12-11-2018 - Collage Beauty

Certified Mail: 12-14-2018 - Far Beauty LLC

Certified Mail: 12-14-2018 - Raziel Buchris

Certified Mail: 12-14-2018 - Aviv Shmuel

Certified Mail: 12-14-2018 - 211 Duval Company

Initial Hearing: 1-30-2019

**Continued from 27 March 2019 for Settlement Agreement**

**Count 1:** On area canvas, an employee of Collage Beauty at 211 Duval Street was off premise canvassing. Repeat violation Case #17-1554.

A settlement agreement was presented to the Special Magistrate which he approved. Costs of \$250 and a fine of \$500 with a suspended fine assessed from case #17-483 of \$1,0000 for a total due of \$1,750.00. This was paid on 3-28-19.

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**Case # 19-83**

Michael J McMahon

100 Admirals Lane

Sec. 18-601 License required - **Count 1**Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations - **Counts 2 thru 22**

Officer Leonardo Hernandez

Posted: 4-5-2019

Initial Hearing: 4-24-2019

**New Case - Irreparable Repeat Violations****Count 1:** Renting transiently from 5 Jan thru 26 Jan 2019 for 21 days  
and 20 nights without benefit of transient rental business tax receipt.Previous cases - #17-166, #17-1157, #17-1187 & #18-1024. **Counts 2****thru 22:** The subject property is holding out/advertising for short term  
rental without the benefit of the required city, county and state licensing.The subject property does not have a transient medallion and has not  
been inspected by the City of Key West Fire Department. Previous cases - #17-166, #17-1154, #17-1187 & #18-1024.

**No one appeared for the respondent. Officer Leonardo Hernandez gave testimony that this property owner has been cited with 22 counts with count 1 renting without transient rental business tax receipt, and counts 2 thru 22 renting transiently without the benefit of required city, county and state license; and not being inspected by the City of Key Fire Department. Renters acknowledged staying there for 21 days. They provided their rental agreement. The Special Magistrate stated the respondent was properly noticed; and failed, refused or neglected to appear. The City would like to get a finding of the violation with \$250 court cost with 21 counts of \$500 each of repeated counts for a total of \$10,500; 2 counts of \$5,000 each of irreparable counts for a total of \$10,000 for a grand total of \$20,750.00. The Special Magistrate stated there is a finding of the violation with \$250 court costs, \$500 for the repeat violations for counts 2 thru 22; and \$5,000 for irreparable violations as stated. There is a total of \$20,750.00 due.**

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**Case # 19-185**

Christopher Gazzale

1504 18th Terrace

Sec. 66-102 Dates due and delinquent; penalties

Officer Leonard Hernandez

Posted: 2-12-2019

Initial Hearing: 3-27-2019

**In compliance 3 April 2019; Administrative fees of \$250 for this case & \$250 for Case# 18-436 for a total due of \$500 pending**

**Count 1:** Keys Cooling, LLC; Christopher Scott Gazzale owner; has not renewed his business license which was due 30 Sept. 2018. Repeat violation from Case# 18-436 with \$250 administrative fee still pending.

**No one appeared for the respondent. Officer Leonardo Hernandez gave testimony that the Mr. Gazzale came into compliance on 3 April 2019 for the delinquent business tax receipt. He stills owes the \$250 court costs for this case and the previous case # 18-439 for a total due of \$500. We would like a continuance of this case for 30 days to pay these fees. The Special Magistrate granted the request with compliance on 28 May 2019 and compliance hearing on 29 May 2019.**

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**Case # 19-293**

Carriage Trade Living Trust 10/22/2009

Joseph O'Lear

529 Eaton Street

Sec. 66-102 Dates due and delinquent; penalties

Officer Leonardo Hernandez

Certified Mail: 4-9-2019

Initial Hearing: 4-24-2019

**New Case**

**Count 1:** Transient rental business license and medallion fees are delinquent since 01 Oct 2018.

**No one attended for the respondent. Officer Leonardo Hernandez gave testimony that the city would like to request dismissal of this case. The Special Magistrate stated without objection of the respondent, the case is dismissed.**

28

**Case # 19-376**

Coconut Mallory Properties, LLC  
1445 South Roosevelt Boulevard 412  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Leonardo Hernandez  
Certified Mail: 4-1-2019  
Initial Hearing: 4-24-2019

**In compliance 3 April 2019; Request dismissal**

**Count 1:** Transient rental license has been expired since 30 Sept 2018.

**The Special Magistrate granted the request to dismiss this case.**

29

**Case # 16-720**

Trevor Cook  
Elizabeth Fuller  
908 Packer Street  
Sec. 62-2 Obstructions  
Officer Beau Langford  
Certified Service: 6-21-2018  
Initial Hearing: 6-27-2018

**In compliance 8 April 2019; Request dismissal**

**Count 1:** Fence was built over the property line and will either need to be demolished or a variance applied for.

**The Special Magistrate granted the request to dismiss this case.**

30

**Case # 16-773**

Brittany D Delgado

~~Mark R Delgado Estate~~

2807 Seidenberg Avenue

Sec. 90-363 Certificate of occupancy - Required

Sec. 58-61 Determination and levy of charge

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business

Officer Beau Langford

Certified Service:

~~Posted: 8-10-2017-~~

Posted: 7-10-2018

Initial Hearing: 8-30-2017

**Continued from 30 Jan 2019 for status/compliance**

**Count 1:** Failure to obtain a Certificate of Occupancy for residential unit in the rear of the property. **Count 2:** Failure to have Utilities associated with the residential unit in the rear of the property. **Count 3:** Failure to have a non-transient business tax receipt for the residential unit in the rear of the property.

**No one attended for the respondent. Officer Beau Langford gave testimony that this is a status update for this case. The status is that they are on time with the making of their back utility payments due to the Revenue Department. The City requests 90 days continuance for status. The Special Magistrate granted the request for a 90 days continuance for status check on 31 July 2019.**

31

**Case # 17-1146**

Jordan James &amp; Sara Key

1309 Newton Street

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **In compliance 9 Nov 2018; Request dismissal**Sec. 14-40 Permits in historic districts - **In compliance 9 Nov 2018;****Request dismissal**

Sec. 14-262 Request for inspection

Officer Jorge Lopez

Certified Service: 3-26-2018

Initial Hearing: 4-25-2018

**Continuance granted to 29 May 2019 for compliance**

**Count 1:** For failure to obtain a mechanical permit to install the A/C condenser on the roof. **Count 2:** For failure to obtain HARC approval for installation of the A/C condenser on the roof. **Count 3:** For failure to obtain an inspection for the A/C condenser.

The Special Magistrate granted the request to continue this case to 29 May 2019.

32

**Case # 17-1213**

Erwin Mayer &amp; Didier R Moritz - property owner

1300 15th Court Lot 77

Sec. 90-363 Certificate of Occupancy - required

Sec. 58-61 Determination and levy of charge

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Officer Jorge Lopez

Certified Service: 11-16-2017

Initial Hearing: 12-20-2017

**Continuance granted to 29 May 2019 for compliance**

**Count 1:** For failure to obtain a certificate of occupancy for the addition that was built. **Count 2:** For failure to pay impact fees related to utilities. **Count 3:** For failure to obtain building permits for the addition to the trailer and for the installed plumbing.

The Special Magistrate granted the request to continue this case to 29 May 2019



33

**Case # 18-241**

Theresa Cioffi

Wilmington Trust Company

CT Corporation System - Registered Agent

3222 Riviera Drive

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Sec. 122-238 Dimensional requirements

Sec. 26-32 Nuisance illustrated - **Dismissed**Sec. 26-126 Clearing of property of debris and noxious material required -  
**Dismissed**

Officer Jorge Lopez

Certified Service: 6-15-2018 - Registered Agent

Certified Service: 7-17-2018 - Theresa Cioffi - Amended Notice

Initial Hearing: 5-30-2018

**Continuance granted to 29 May 2019**

**Count 1:** Observed the roof built in the setbacks and a detached dwelling that the city does not recognize which did not have the required permits and inspections. **Count 2:** The roof is located in the rear side of the subject property in the setbacks. **Count 3:** ~~Observed the pool with stagnant water that is a breeding ground or feeding area for mosquitoes. - Dismissed.~~ **Count 4:** ~~Debris located on the driveway of this property which causes a nuisance or other unsightly or unsanitary condition. - Dismissed.~~

The Special Magistrate granted the request to continue this case to 29 May 2019.

34

**Case # 18-1211**

Island-West Investments Corp.

Richard Estevez - Owner

Hugh J Morgan - Registered Agent

1213 14th Street 41

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Officer Jorge Lopez

Certified Mail: 12-12-2018 - Hugh Morgan

Certified Mail: 12-18-2018 - Richard Estevez

Initial Hearing: 1-30-2019

**Continued from 27 March 2019 for compliance**

**Count 1:** Failure to obtain a building permit for an addition built. A demolition permit had been applied for on 6 Nov 2018 and more details are needed along with the property card.

**Attorney Goldman for Mr. Estevez, Attorney Sireci for Island West and Richard Estevez attended this hearing. Officer Jorge Lopez attended for the City. Mr. Goldman gave testimony that his client has applied for an after-the-fact permit for the rebuilt of the main portion of the addition to the trailer that was destroyed by Irma hurricane and a demolition permit for a shed which was added. Mr. Goldman stated that his client found out that he needs more information for his permit and he will be in contact with the building department to see what is needed if anything. They are requesting a continuance for 30 days and they are working with the trailer park. The Special Magistrate asked if there is any objection from the City and Officer Lopez stated no. The Special Magistrate granted the request for continuance for 30 days to 29 May 2019.**

35

**Case # 18-1996**

KW Zion, LLC

Kellie Alpert - RA

Irish Oak Barrel, LLC

Wayne Larue Smith - RA

506 Southard Street

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions

Sec. 14-40 Permits in historic districts

Sec. 14-262 Request for inspection

Sec. 122-63 Review; enforcement - **In compliance 23 April 2019;****Request dismissal**

Officer Jorge Lopez

Certified Mail: 3-6-2019 - Kellie Alpert

Certified Mail: 3-8-2019 - Wayne Larue Smith

Initial Hearing: 3-27-2019

**Continued from 27 March 2019**

**Count 1:** Failure to obtain permit for plumbing work performed in the rear side exterior of the building. **Count 2:** Failure to obtain permit for electrical work installed in the rear side exterior of the building. **Count 3:** Failure to obtain a certificate of appropriateness for the plumbing and electrical work performed in the rear side exterior of the building. **Count 4:** Failure to obtain a required electrical inspection for electrical work performed on the rear side of the building. **Count 5:** Failure to abide by the Conditional Approval Permit of no amplified live music or outdoor music on the premises.

Attorney Wayne LaRue Smith for Irish Oak Barrel and Attorney Susan Cardenas for KW Zion attended for the respondent. Officer Jorge Lopez attended for the City of Key West. Ron Ramsingh stated they have resolved somewhat of a temporary solution. The City is going to agree to a continuance so they can continue to work on compliance on the condition that they obtain and receive a satisfactory inspection regarding the electrical component that is in question from a public safety standpoint. If that gets passed from a safety standpoint then we would be amendable to a continuance. Mr. Smith stated that is correct but to add a little more background about the contractor involved Chinnis Construction who is in the process of getting after-the-fact permit for the work done to come into compliance. The plan is to eventually move all the equipment inside with all appropriate permits obtained. Mr. Smith is requesting 60 to 90 days continuance. Mr. Ramsingh stated as long as he gets the electrical inspection within 14 days showing that the electrical is safe for purposes until the case is closed that the City has no objection. Mr. Smith said he will have this done and sent to the City within 14 days. The

Special Magistrate stated he will set the case for 29 May 2019 just to make sure that the stop gap measures are all completed and if the case comes into compliance before the next hearing we can dispose the case prior to the next hearing.

36

**Case # 18-2020**

Robert Chinnis Construction, Inc

Robert R. Chinnis - RA

506 Southard Street

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions

Sec. 14-40 Permits in historic districts

Sec. 14-262 Request for inspection

Officer Jorge Lopez

Hand Served: 2-27-2019

Initial Hearing: 3-27-2019

**Continuance granted to 29 May 2019 for compliance**

**Count 1:** Failure to obtain a permit for plumbing work performed in the rear side exterior of the building. **Count 2:** Failure to obtain a permit for electrical work performed on the rear side of the building. **Count 3:** Failure to obtain a certificate of appropriateness for plumbing and electrical work performed on the rear side of the building. **Count 4:** Failure to obtain a required electrical inspection for electrical work performed on the rear side of the building.

The Special Magistrate granted the request to continue this case to 29 May 2019.

37

**Case # 18-2029**

218 Duval Street Corp.

Elizabeth Johnson - Business Registered Agent

Famlo Development Corporation

Michael Halpern - Building Registered Agent (Amended Notice only)

Jennifer Stefanacci Doll - Sec. 26-32 only (Original Notice)

218 Duval Street

~~Sec. 26-32 Nuisances illustrated (Original Notice only)~~ -- **Dismissed**Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions (Amended Notice)

Sec. 14-40 Permits in historic districts (Amended Notice)

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions (Amended Notice)

Sec. 14-262 Request for inspection (Amended Notice)

Officer Jorge Lopez

Certified Mail: 12-7-2018 (Original Notice) - Jennifer Stefanacci Doll

Certified Mail: 1-4-2019 (Amended Notice) - Michael Halpern

Posted: 1-17-2019 (Amended Notice) - Elizabeth Johnson

Initial Hearing: 1-30-2019

**Continued from 27 March 2019 for compliance**

**Count 1 (Original Notice):** ~~The use of a foam machine spreading foam on the City's right of way which was causing a hazard to pedestrians and adjacent properties.~~ **Dismissed.** **Count 1 (Amended Notice):** Two signs installed without the benefit of a building permit. **Count 2 (Amended Notice):** Signs installed without the benefit of a certificate of appropriateness. **Count 3 (Amended Notice):** Two flood lights installed without the benefit of an electrical permit. **Count 4 (Amended Notice):** Electrical work performed without an inspection.

**Officer Jorge Lopez stated they are not in compliance and last night this project went to the HARC Commission. This was postponed until 27 May 2019. The City would like to request a continuance until they go to the HARC Commission. The City requested 27 June 2019. The Special Magistrate granted the request for continuance to 27 June 2019.**

38

**Case # 18-2033**

SK II, Inc.  
Robert A. Spottswood - RA  
2700 North Roosevelt Boulevard  
Sec. 122-63 Review; enforcement  
Officer Jorge Lopez  
Certified Mail:  
Initial Hearing: 3-27-2019

**Continued from 27 March 2019**

**Count 1:** The masonry wall behind store plaza was damaged and needs to be replaced as per Resolution 89-26. Our records indicate that an application has not been submitted to rebuild the masonry wall. The only permit applied for is Permit #2018-2722 to remove fence debris.

Jason Wolf attended for the Respondent. Officer Jorge Lopez attended for the City. Mr. Wolf gave an update that they have submitted the permit and are awaiting the pickup for this permit. Officer Lopez stated that the Building Dept. told him that a permit had been submitted this morning and they are awaiting the review of the permit. They are progressing with this issue. Mr. Wolf stated it could take as long as 90 days to finish the work. The city is requesting a finding of the violation and Mr. Wolf has no objection. The Special Magistrate is going to give 30 days for compliance so that the city can make sure that they get the permit and everything else. Please keep the City informed about the progress. The Special Magistrate stated that by the respondent's admission to the violation there was be a finding of the violation as stated in Count 1 with \$250 court cost and \$250 per day with 30 days for compliance with compliance being 28 May 2019.

39

**Case # 18-2036**

Judith Morales

2612 Seidenberg Avenue

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptionsSec. 14-37 Building permits; professional plans; display of permits;  
address; exceptionsFBC 1612.4 & ASCE 24-05 Flood Hazard construction, unprotected  
enclosed below design flood elevation

Officer Jorge Lopez

Certified Mail: 2-15-2019

Initial Hearing: 3-27-2019

**Continuance granted to 29 May 2019 for compliance**

**Count 1:** Failure to obtain building permits for a garage converted into a living space. **Count 2:** Failure to obtain a building permit for a fence that was installed in the back yard and a gate on the side of the house.

**Count 3:** Within a FEMA delineated type AE-8 flood zone, constructed a residential building below the minimum flood safety elevation in the Special Flood Hazard area and on 5 Nov 2013 FEMA Coordinator rejected the application.

**The Special Magistrate granted the request to continue this case to 29 May 2019.**

40

**Case # 19-253**

Poinciana Park Partners, LLP - Mobile Home Park Owner

Erwin &amp; Didier M. Mayer

Evelyne Cajuste &amp; Pierre Louis - Mobile Home Owner

1300 15th Court Lot 45

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptionsSec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Sec. 14-262 Request for inspection

Officer Jorge Lopez

Certified Mail: 3-9-2019 - Mobile Home Owner

Initial Hearing: 4-24-2019

**New Case**

**Count 1:** Failure to obtain building permits for the structure built in the rear side of the mobile home. **Count 2:** Failure to obtain an electrical permit for the enclosed structure. **Count 3:** Failure to obtain the required electrical inspection.

No one attended for the respondents. Officer Jorge Lopez stated the complaint is with both the mobile home owner and mobile park owner. Mr. Mayer, mobile park owner, is out of the country and as such was unable to get good service. The City is requesting a continuance so they can present the case with the mobile home owner and mobile park owner at the same time. The Special Magistrate granted the request to continue this case to 29 May 2019.

41

**Case # 19-411**

Margaret Baldwin

422 Fleming Street

Sec. 66-102 Dates due and delinquent; penalties

Officer Jorge Lopez

Certified Mail:

Initial Hearing: 4-24-2019

**Request for continuance to 29 May 2019 for good service****Count 1:** Subject license delinquent since 30 September 2018

The Special Magistrate granted the request to continue this case to 29 May 2019 for good service



42

**Case # 19-568**

Arbortech Tree &amp; Landscape Inc

Spiegel &amp; Utera P.A. - Registered Agents

86560 Overseas Highway

Sec. 66-102 Dates due and delinquent; penalties

Officer Jorge Lopez

Certified Mail: 4-16-2019

Initial Hearing: 4-24-2019

**In compliance 24 April 2019; Request dismissal**

**Count 1:** Failure to renew the business tax receipt for the subject business due 30 Sept 2018.

**The Special Magistrate granted the request to dismiss this case.**

43

**Case # 19-33**

808 Southard Street LLC

Peter Nelson Brawn

G,B &amp; B-B Registries, LLC

812 Southard Street

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **In compliance 16 April 2019; Request  
dismissal**

Sec. 14-40 Permits in historic districts - **In compliance 16 April 2019;  
Request dismissal**

Sec. 14-262 Request for inspection - **In compliance 16 April 2019;  
Request dismissal**

Sec. 122-629 Prohibited Use

Officer Paul Navarro

Certified Mail: 3-4-19 - G,B &amp; B-B Registries, LLC

Initial Hearing: 3-27-2019

**In compliance 23 April 2019; Request dismissal**

**Count 1:** A total of 8 lights that have been installed at the subject property without the benefit of a permit. **Count 2:** Eight lights were installed without the benefit of a certificate of appropriateness. **Count 3:** The 8 lights were installed at the subject property without the benefit of required inspections. **Count 4:** Subject property has two different zones which are HNC-2 and HHDR that are being used as a parking lot. On the HHDR zone, there is no conditional use on file allowing this to be used as a parking lot.

**The Special Magistrate granted the request to dismiss this case.**

44

**Case # 19-397**

Zachary Lee Humphries

1225 Ashby Street

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Sec. 18-150 Certificate of competency required

Sec. 66-87 Business tax receipt required for all holding themselves out to  
be engaged in business

Officer Paul Navarro

Certified Mail:

Initial Hearing: 4-24-2019

**New Case - Repeat Violations**

**Count 1:** Doing exploratory work without permits. Violating settlement agreement from previous cases - #18-866, #18-1095, #18-1677. **Count 2:** Mr. Humphries is not a licensed contractor. Violating settlement agreement from previous cases - #18-866, #18-1095, #18-1677. **Count 3:** Mr. Humphries is not recognized as a business within the City limits and he advertises himself as a contractor on Key West Garage Sale (Facebook). Violating settlement agreement from previous cases - #18-866, #18-1095, #18-1677.

**No one attended for the Respondent. Officer Paul Navarro requests a continuance for good service. Without objection, the Special Magistrate granted the request to continue this case to 29 May 2019.**

45

**Case # 19-509**

Curry Refrigeration &amp; Air-Conditioning Inc

Patrick Curry - Registered Agent

1022 Duval Street

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions - **Repeat**

Sec. 14-325 Permit required

Sec. 14-40 Permits in historic district

Sec. 14-262 Request for inspection

Officer Paul Navarro

Certified Mail: 4-23-2019

Initial Hearing: 4-24-2019

**New Case - Repeat Violation Count 1**

**Count 1:** New condenser unit being placed and the old unit removed without required permits. Repeat violation - Case #17-879. **Count 2:** Failure to obtain required permit for refrigeration and air conditioning equipment. **Count 3:** Condenser unit installed without obtaining a certificate of appropriateness. **Count 4:** Failure to obtain the required inspections.

Patrick Curry attended this hearing. Officer Paul Navarro gave testimony that Curry Refrigeration & Air-conditioning was installing a new condenser at this location without permits and he issued a Stop Work Order. This is a repeat offense for Mr. Curry. The City is requesting a Finding of the Violation with \$500 for the repeat violation and \$250 each for the other three violations with \$250 administrative fee. Mr. Curry stated that his employees believed a permit had been applied for. They do have a permit now for this job. The Special Magistrate asked how were the employees directed to go to the job and Mr. Curry stated he directed them to go thinking that they had applied for the permit. Mr. Curry stated the he and his secretary apply for all the permits. Mr. Curry stated they did not install any equipment that they just removed a piece of equipment that they felt was a danger. The Special Magistrate asked that the City is requesting \$250 per count and the City said yes for three of the counts and \$500 for the repeat violation which is Sec #14-37 but they subsequently received the permit for this case. Officer Navarro stated yes but due to the history that is why we are asking for that. They did obtain the certificate of appropriateness. The required inspections are not done yet. The Special Magistrate stated that they are in compliance for Counts 2 & 3; and Officer Navarro stated yes. The Special Magistrate stated he wants to continue this case for 30 days because he wants to see if they get the required inspection. The Special Magistrate stated he does find that there is a violation with Count 1 with court costs and the fine associated with Count 1 but he wants to see about Count 4 in 30 days. The Special Magistrate stated he will be dismissing Count 2 and 3. There is a Finding of Violation with court cost of \$250 and \$500 fine for Count 1 with compliance 29 May 2019.

46

**Case # 19-104**

Steadman D Jackson

1713 George Street

Sec. 26-126 Clearing of property of debris and noxious material required

Sec. 108-677 Parking and storage of certain vehicles

Officer Dorian Patton

Certified Mail: 3-29-2019

Initial Hearing: 4-24-2019

**New Case**

**Count 1:** Overgrown property and debris has fallen onto the City right of way. **Count 2:** Unlicensed scooter parking in the front yard.

**Stedman Jackson attended this hearing. Officer Dorian Patton gave testimony that Mr. Jackson would like to request a continuance for compliance for his case. Mr. Jackson stated he would like more time to clean up his property as he has had surgery and could not exert himself. The Special Magistrate asked if he needed a month and Mr. Jackson stated yes. The Special Magistrate asked if the City had an objection and Officer Patton stated no. The Special Magistrate granted the request for continuance to 29 May 2019.**

47

**Case # 19-197**

Sara Dascott

905 16th Terrace

Sec. 108-677 Parking and storage of certain vehicles

Officer Dorian Patton

Certified Mail: 3-11-2019

Initial Hearing: 4-24-2019

**In compliance 19 Mar 2019; Request dismissal**

**Count 1:** Vehicle on premises without current license plate and not stored in an enclosed building.

**The Special Magistrate granted the request to dismiss this case.**

48

**Case # 19-220**

Church Bethel A M E

907 Thomas Street

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions

Officer Dorian Patton

Hand Served: 3-22-2019

Initial Hearing: 3-27-2019

**In compliance 4 April 2019; Request a Finding of Violation without fees or fines****Count 1:** Failure to obtain building permit for interior demolition work being performed.

**Mildred Roscoe and Gregory Williams attended for the respondent. Officer Dorian Patton gave testimony that the City is requesting a Finding of the Violation without fees or fines. Ms. Roscoe and Mr. Williams have no objection to this. The Special Magistrate stated there is an admission to the violation of Count 1 without fees or fines.**

49

**Case # 19-303**

Sean Williams

1801 North Roosevelt Boulevard, 17 - Amberjack

Sec. 66-102 Dates due and delinquent; penalties

Officer Dorian Patton

Certified Mail: 3-14-2019

Initial Hearing: 4-24-2019

**In compliance 17 April 2019; Request dismissal****Count 1:** Subject business owner has not renewed their license which expired 30 Sept 2018. Previously cited in Case #17-1023.

**The Special Magistrate granted the request to dismiss this case.**

**Adjournment**