



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final Code Compliance Hearing

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Wednesday, May 23, 2012

1:30 PM

Old 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 at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

**Call Meeting to Order**

### Code Violations

- 1**                      **Case # 10-642**  
Mary Jo Pfund  
1405 4th Street  
Sec. 14-37 Building Permits, Display  
Officer Dotty Austin  
Certified Service: 5-12-2011  
Initial Hearing: 6-29-2011

**Continued from April 25, 2012 for compliance**

Interior build outs, plumbing and electrical work require building permits prior to commencement of work.

**Compliance was achieved the morning of May 23, 2012 and this case was dismissed by the Special Magistrate.**

- 2**                      **Case # 11-1225**  
Rose Sandrie  
2321 Fogarty Avenue  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Dotty Austin  
Certified Service: 4-26-2012  
Initial hearing: 5-23-2012

**New Case**

**Count 1:** A business tax receipt is required to rent this property

The Special Magistrate found Rose Sandrie in violation. No fines or fees were imposed at this time. The court reserves the right to impose fines and fees if the property is not brought into compliance by June 11, 2012. A compliance hearing will be held on June 12, 2012.

**3****Case # 12-373**

Benjamin Shatkun

Raquel Barouh

908 Trinity Drive 2

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

Officer Dotty Austin

POSTED: 5-9-2012

Initial Hearing: 5-23-2012

**New Case**

**Count 1:** A business tax receipt is required to rent this property

The Special Magistrate found Benjamin Shatkun and Raquel Barouh in violation. Costs of \$250 were imposed along with a fine of 25% of the business tax receipt ( $\$19.95 \times 25\% = \$4.99$ ) The total amount due the city is \$259.99. A compliance hearing will be held on June 12, 2012.

**4****Case # 12-701**

Daniel D Kolbe, R/A

Southernmost Photography

200 William Street

Sec. 18-415 Restrictions in historic district

Officer Dotty Austin

Certified Service:5-14-2012

Initial Hearing: 5-23-2012

**Repeat violation****Continuance granted to June 12, 2012**

**Count 1:** On Friday, May 4, 2012, two women were observed selling photographs for Southernmost Photography on the Harbor Walk in violation of Sec. 18-415(b)(1)h. **Count 2:** On May 5, 2012, Daniel Kolbe was observed selling photographs for Southernmost Photography on the Harbor Walk in violation of Sec. 18-415(b)(1)h.

Jennifer Hulse requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.

**5****Case # 11-1444**

Bird Construction LLC

Deborah & Richard Bird  
730 Southard Trust  
c/o Vincent F Barletta, Trustee  
730 Southard Street  
Sec. 14-37 Building permits professional plans; display of permits  
Sec. 14-40 Permits in the Historic District  
Officer Leonardo Hernandez  
Certified Service: 12-23-2011  
Initial Hearing: 1-25-2012

**Irreparable Violation**  
**Continued from April 25, 2012**

**Count 1:** The chimney at this location was demolished without a demolition permit. **Count 2:** The chimney at this location was demolished without HARC approval.

**Adele Stones requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.**

6

**Case # 11-1467**  
Victor W Olson  
1316 Eliza Street  
Sec. 14-37 Building permits; professional plans; display of permits  
Sec. 102-152 Requirements for permits  
Sec. 102-158 Stop work order and penalty  
Officer Leonardo Hernandez  
Certified Service: 1-26-2012  
Initial Hearing: 2-29-2012

**Continued from April 25, 2012 for compliance**  
**Irreparable violation for working over a stop work order**

**Count 1:** On December 6, 2012 a stop work order was issued for renovations of the fence without a building permit. **Count 2:** On December 6, 2012 a stop work order was issued for renovations of the fence without a certificate of appropriateness. **Count 3:** On December 9, 2011 it was noticed that more of the fence had been worked on. A second stop work order was posted.

**Victor Olson requested a continuance to July 25, 2012 and it was granted by the Special Magistrate.**

7

**Case # 11-1506**  
405 Frances, LLC  
Andrea M Amato, Mgr.  
BDB Agent Co. R/A  
John P Slagter

405 Frances Street  
Sec. 62-2 Obstructions  
Officer Leonardo Hernandez  
Certified Service: 2-24-2012 - Owner  
2-28-2012 - R/A  
Initial Hearing: 3-28-2012

**Compliance date extended to May 23, 2012. Will be presented to the City Commission in June**

**Count 1:** On December 13, 2011 a complaint was received that trees were being planted on the City's right of way without a permit and the fence had been installed on the right of way, exceeding the scope of the permit.

**Andrea Amato requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.**

8

**Case # 12-27**

Bank of America  
Tiaquanda S Turner, Field Services  
Alliance Roofing Corporation  
Adam Ryckman R/A  
3220 Eagle Avenue  
Sec. 14-37 Building permits; professional plans; display of permits  
Sec. 118-516 Stop work orders  
Officer Leonardo Hernandez  
Certified Service: 1-26-2012 - Contractor  
Certified Service: 5-3-2012 - Owner  
Initial Hearing: 2-29-2012

**Continued from April 25, 2012 for compliance - contractor  
Irreparable Violation**

**Count 1:** On January 5, 2012 a complaint was received that roofing work was being done without permits. A stop work order was issued.

**Count 2:** On January 18, 2012, while conducting an inspection, two workers were on the roof working over the stop work order.

**The Special Magistrate found Bank of America in violation. Costs of \$250 were imposed. Also imposed was a fine of \$100 per day, per count if compliance is not met by June 11, 2012. A compliance hearing will be held on June 12, 2012.**

9

**Case # 12-361**

Donal J Morris Sr.  
Donal Morris Jr.  
75 Seaside North Court

Sec. 66-102 Dates due and delinquent; penalties  
Officer Leonardo Hernandez  
Certified Service: 4-21-2012  
Initial Hearing: 5-23-2012

**New Case**

**Count 1:** The business tax receipt to rent this property is delinquent

**Donal Morris requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.**

10

**Case # 12-362**

Donal J Morris Sr.  
Donal Morris Jr.  
77 Seaside North Court  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Leonardo Hernandez  
Certified Service: 4-21-2012  
Initial Hearing: 5-23-2012

**New Case**

**Count 1:** The business tax receipt to rent this property is delinquent

**Donal Morris requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.**

11

**Case # 12-363**

Donal J Morris Sr.  
Donal Morris Jr.  
74 Seaside North Court  
Sec. 66-102 Dates due and delinquent; penalties  
Office Leonardo Hernandez  
Certified Service: 4-21-2012  
Initial Hearing: 5-23-2012

**New Case**

**Count 1:** The business tax receipt to rent this property is delinquent

**Donal Morris requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.**

12

**Case # 12-372**

Cynthia D Fairbanks  
3408 Eagle Avenue

Sec. 66-102 Date due and delinquent; penalties  
Officer Leonardo Hernandez  
Certified Service:  
Initial Hearing: 5-23-2012

**New Case**

**Count 1:** The business tax receipt to rent the second unit is delinquent

This case was continued for service.

13

**Case # 12-439**

Alan & Marci Mather  
3930 S Roosevelt Blvd N106  
Sec. 66-87 Business tax receipt required  
Officer Leonardo Hernandez  
Certified Service: 4-23-2012  
Initial Hearing: 5-23-2012

**Continuance granted to June 12, 2012**

**Count 1:** A business tax receipt is required to rent the property

Alan & Marci Mather requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.

14

**Case # 12-536**

Snafu World LLC - owner  
c/o Meyers & Associate, CPA, PA  
Robmat, Inc.  
Robert Matuszak - contractor  
811 Fleming Street  
Sec. 18-117 Acts declared unlawful - owner  
Sec. 18-146 License required - contractor  
Officer Leonardo Hernandez  
Certified Service: 5-8-2012  
Initial Hearing: 5-23-2012

**New Case**

**Count 1:** For aiding and abetting an unlicensed contractor. **Count 2:**  
A contractor's license is required to work as a contractor.

The Special Magistrate found Robert Matuszak - Robmat, Inc. in violation. A settlement agreement was presented and approved. The Respondent agrees and stipulates to the imposition of the administrative costs in the amount of \$250 for the violations involving unlicensed contracting within the City of Key

West. If the Respondent is found in violation of Section 18-146 again in the future, the Respondent understands that the violation(s) will be considered as repeat. The Respondent agrees to immediately cease and desist activities that violate the code violations at this or any other property in the City of Key West.

The Special Magistrate found Snafu World, LLC in violation. A settlement agreement was presented and approved. The Respondent agrees and stipulates to the imposition of the administrative costs in the amount of \$250 involving the unlicensed contracting within the City of Key West. If the respondent is found in violation of Section 18-117 again in the future, the Respondent understands that the violation(s) will be considered repeat. The Respondent agrees to immediately cease and desist activities that violations the code at this or any other property in the City of Key West. Respondent will exercise all due diligence in bringing the property into compliance. In exchange for the Respondent not contesting the violatons and for testimony in favor of the City of Key West against co-respondent Robert Matuszak, the City agrees to a Finding of Violation and Order in addition to the \$250 administrative fee.

15

**Case # 12-606**

Darwin M Davis - owner  
BAC Enterprises - property mgr  
732 Poorhouse Lane  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential dwellings; regulations - 7 counts  
Sec. 122-629 Prohibited uses in HHDR  
Officer Leonardo Hernandez  
Certified Service:  
Initial Hearing: 5-23-2012

**New Case**

**Count 1:** The subject property was rented transiently from April 10, 2012 through April 17, 2012 without a business tax receipt in violation of Sec. 18-601. **Count 2:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on April 10, 2012. **Count 3:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on April 11, 2012. **Count 4:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on April 12, 2012. **Count 5:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on April 13, 2012. **Count 6:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on April 14, 2012. **Count 7:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on April 15, 2012. **Count 8:** The respondent held out the property in question as being available for rent transiently contrary

to 122-1371(d)(9) on April 16, 2012. **Count 9:** Transient rentals are prohibited in the HHDR (Historic High Density Residential) district.

**This case was continued for service.**

**16**

**Case # 12-671**

Cynthia A Grissom  
1401 Sunset Drive  
Sec. 58-61 Determination and levy of charge  
Officer Leonardo Hernandez  
Certified Service: 5-5-2012  
Initial Hearing: 5-23-2012

**Continuance granted to June 12, 2012**

**Count 1:** Repeat violation of having two units when the City only recognizes one unit.

**Cynthia Grissom requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.**

**17**

**Case # 09-1501**

Angel & Daniela Rodriguez  
Angel Rodriguez Dr  
908 Trinity Drive #4  
Sec. 14-37 Building permits professional plans; display of permits  
Sec. 14-256 Required for electric  
Sec. 14-262 Request for inspection  
Sec. 14-325 Permits required  
Sec. 14-327 Mechanical inspection  
Sec. 14-358 Plumbing permit required  
Sec. 14-362 Connect to public sewer  
Sec. 90-363 Certificate of occupancy  
Officer Barbara Meizis  
Certified Service: 11-8-2011  
Initial Hearing: 12-14-2011

**Continued from March 28, 2012 for compliance**

**Count 1:** On May 10, 2010, planning department received an after the fact variance for an after the fact accessory unit which was constructed without building permits. **Count 2:** Electrical work done on the accessory unit without the benefit of an electrical permit. **Count 3:**



Electrical inspections are required for all electrical work done. **Count 4:** Mechanical work done without the benefit of a mechanical permit. **Count 5:** Mechanical inspections are required for all mechanical work done. **Count 6:** Plumbing work done without the benefit of a plumbing permit. **Count 7:** Connection to the city sewer system is required. **Count 8:** A certificate of occupancy is required for the accessory unit.

Samuel Kaufman requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.

18

**Case # 12-302**

David Neil Austin  
1215 Duncan Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Barbara Meizis  
Certified Service: 3-13-2012  
Initial Hearing: 3-28-2012

**Continued from April 25, 2012**

**Count 1:** A non-transient business tax receipt for two units is required to rent your property. The above property has been rented by William Virgil Montgomery in Unit 1 and Destiny Blue Montgomery in Unit 2. Keys Energy shows electric service in Mr. Montgomery's name since 08-27-2008. There is also a rental agreement between Cathy Fernandez, The Hip Tourist, your agent and William Montgomery and Robin Gregory as tenants.

The Special Magistrate found David Austin in violation. Costs of \$250 were imposed. Also imposed was a fine of \$50 per day if compliance is not met by June 11, 2012. A compliance hearing will be held on June 12, 2012.

19

**Case # 12-463**

Keith & Donna Golan  
302 Southard Street 110B  
Sec. 66-102 Date due and delinquent; penalties  
Officer Barbara Meizis  
Certified Service: 5-5-2012  
Initial Hearing: 4-25-2012

**Continuance granted to May 23, 2012**

**Count 1:** The business tax receipt for Key West Travel/Condo Vacation is delinquent

The Special Magistrate found Keith and Donna Golan in violation. Costs of \$250 were imposed along with a fine of 25% of the business tax receipt (\$309.75 X 25% = \$77.44). The total amount due to the City is \$357.44. A compliance hearing will be held on June 12, 2012.

20

**Case # 11-1129**

Julio N Castro-Rivas  
Yvonne G Adetin  
3229 Flagler Avenue 203  
Sec. 66-102 Dates due and delinquent; penalties - Amended  
Officer Bonnita Myers  
Certified Service: 5-2-2012  
Initial Hearing: 5-23-2012

**New Case**

**Count 1:** The business tax receipt for "Information Management Corp" is delinquent

The Special Magistrate found Julio N Castro-Rivas and Yvonne G Ametin in violation. Costs of \$250 were imposed. Also imposed is a fine of 25% of the business tax receipt (\$98.70 X 25% - \$24.68). The total amount due the City is \$274.68. A compliance hearing will be held on June 12, 2012.

21

**Case # 11-1326**

Carlton J Ditto  
906 Olivia Street  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Bonnita Myers  
Certified Service:  
Initial Hearing: 5-23-2012

**New Case**

**Count 1:** A business tax receipt is required to rent this property

This case was continued for service.

22

**Case # 11-1335**

Allen K Miller Rev Living Trust  
806 Caroline Street  
Sec. 14-40 Permits in the Historic District  
Sec. 14-37 Building permits; professional plans; display of permits  
Officer Bonnita Myers  
Certified Service: 4-25-2012

Initial Hearing: 4-25-2012

**In compliance, request dismissal**

**Count 1:** A fence was constructed without the benefit of HARC approval. **Count 2:** A fence was constructed without the benefit of a building permit.

**Compliance was achieved on May 16, 2012 and this case was dismissed by the Special Magistrate.**

23

**Case # 11-1541**

James & Judith Wert

1424 Petronia Street

Sec. 66-87 Business tax receipt required

Sec. 58-61 Determination and levy of charge

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

Sec. 90-363 Certificate of Occupancy required

Officer Bonnita Myers

Certified Service: 4-13-2012

Initial Hearing: 4-25-2012

**Continued from 4-25-2012**

**Count 1:** A business tax receipt for all units is required to rent the property. **Count 2:** A solid waste account is required for all units. **Count 3:** A building permit is required to build a third unit. **Count 4:** A certificate of occupancy is required prior to renting the third unit.

**The Special Magistrate found James & Judith Wert in violation. A settlement agreement was presented and approved by the Special Magistrate. Costs of \$250 were imposed. Also, an additional fine of \$1,000 was imposed and suspended. If compliance is achieved within three months from the date of the Special Magistrate's signature below. If the Respondents do not obtain a positive Lawful Unit Determination from the City of Key West's Planning Dept., valid sewer and solid waste accounts for all units on the property, valid certificates of occupancy for all units and building permits for all improvements or in the alternative, lawfully demolish all offending components within 90 days of the Special Magistrate's signature below, the \$1,000 suspended fine shall be imposed and a daily fine of \$250 per count, per day beginning the date that the Special Magistrate finds there to be a breach of this settlement. A compliance hearing will be held on August 22, 2012.**

24

**Case # 12-44**

Julian Kainan

901 17th Terrace

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

Officer Bonnita Myers

Certified Service:  
Initial Hearing: 5-23-2012

**In compliance, request dismissal**

**Count 1:** A business tax receipt is required to rent this property

**Compliance was achieved on May 18, 2012 and this case was dismissed by the Special Magistrate.**

25

**Case # 12-67**

Jerry & Yuliya Andrews - business & property owners  
Keana Mariah Konrad - employee  
Albert L Kelley, R/A  
KWSC, Inc. - Adult Entertainment Club  
Fitzpatrick Street  
Sec. 18-415 Restrictions in Historic District  
Sec. 18-441 Required  
Sec. 70-116 Prohibited Parking  
Officer Bonnita Myers  
Certified Service: 4-11-2012 - Owner  
Certified Service: 4-5-2012 - R/A  
Initial Hearing: 4-25-2012

**Continued from April 25, 2012 for agreement**

**Count 1:** On January 6, 2012, Keana Mariah Konrad was off-premises canvassing on Fitzpatrick Street passing out cards soliciting pedestrians. **Count 2:** On January 6, 2012, Keana Mariah Konrad was off-premises canvassing on Fitzpatrick Street passing out cards soliciting pedestrians without a permit to do so. **Count 3:** On January 6, 2012, a van parked on Fitzpatrick Street marked "Free Shuttle to Adult Entertainment, 1221 Duval Street. It had brochure boxes attached to both sides with brochures in them.

**Albert Kelley requested a continuance to June 12, 2012 for the Settlement Agreement and it was granted by the Special Magistrate.**

26

**Case # 12-153**

Stella A Rylander  
532 Duval Street 534  
Sec. 10-11 Keeping fowl or wildlife  
Sec. 26-126 Clearing of property of debris and noxious material required  
Officer Bonnita Myers  
Certified Service: 4-26-2012  
Initial Hearing: 5-23-2012

**New Case**

**Count 1:** The chickens and roosters were not secure and the chicken feed was spread all over the entire yard, porches and driveway. Approximately three pounds of fresh cat food was in bowls all over the yard. The cage for the chickens and roosters has not been cleaned on a regular basis. **Count 2:** The odor from the droppings and the flies have become a nuisance to the city and the neighboring properties.

**Nicholas Trovato requested a continuance to July 25, 2012 and it was granted by the Special Magistrate.**

27

**Case # 12-338**

James & Holly Cooney  
415 United Street  
Sec. 66-87 Business tax receipt required  
Sec. 58-61 Determination and levy of charge  
Sec. 90-363 Certificate of occupancy - required  
Officer Bonnita Myers  
Certified Service: 4-7-2012  
Initial Hearing: 4-25-2012

**Continued from April 25, 2012**

**Count 1:** A business tax receipt is required to rent the two units on the property. **Count 2:** A solid waste account is required for both units. **Count 3:** A certificate of occupancy is required for the second unit.

**John Marston requested a continuance to July 25, 2012 and it was granted by the Special Magistrate as long as the inspection is completed by June 11, 2012.**

28

**Case # 12-371**

Thomasine Harper  
1026 James Street  
Sec. 66-102 Date due and delinquent; penalties  
Officer Bonnita Myers  
POSTED: 5-11-2012  
Initial Hearing: 4-25-2012

**In compliance, request dismissal**

**Count 1:** The business tax receipt to rent this property is delinquent

**Compliance was achieved and this case was dismissed by the Special Magistrate.**

29

**Case # 12-440**

Janice Isherwood  
523 Elizabeth Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Bonnita Myers  
Certified Service: 4-25-2012  
Initial Hearing: 5-23-2012

**Continuance granted to June 12, 2012**

**Count 1:** The business tax receipt to rent this property is delinquent

Janice Isherwood requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.

30

**Case # 12-443**

4 & 6 Charles Street LLC  
c/o Peter Nelson Brawn  
4 Charles Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Bonnita Myers  
Certified Service: 5-5-2012  
Initial Hearing: 5-23-2012

**In compliance, request dismissal**

**Count 1:** The business tax receipt to rent this property is delinquent

Compliance was achieved on May 9, 2012 and this case was dismissed by the Special Magistrate.

31

**Case # 12-449**

Maynard & Marci Lowe  
1116 Varela Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Bonnita Myers  
Certified Service: 4-25-2012  
Initial Hearing: 5-23-2012

**New Case**

**Count 1:** The business tax receipt to rent this property is delinquent

The Special Magistrate found Maynard & Marci Lowe in violation. Costs of

\$250 were imposed. Also imposed was a fine of 25% of the business tax receipt (\$19.95 X 25% - \$4.99). The total amount due to the City is \$259.99. A compliance hearing will be held on June 12, 2012.

32

**Case # 11-241**

Brian P Bradley  
Ammie Marie Machan T/C  
2507 Linda Avenue  
Sec. 74-141 Separate building sewers required  
Officer Jim Young  
Certified Service: 4-10-2012  
Initial Hearing: 4-25-2012

**Request dismissal**

**Count 1:** You are required to provide a separate lateral connection to the public sewer system

This case was dismissed by the Special Magistrate.

33

**Case # 12-335**

Christine B Bollong  
1423 Rose Street  
Sec. 66-87 Business tax receipt required  
Officer Leonardo Hernandez  
Certified Service: 4-5-2012  
Initial Hearing: 4-25-2012

**Continued from April 25, 2012**

**Count 1:** A business tax receipt is required to rent the property

The Special Magistrate found Christine Bollong in violation. One time cost of \$250 was imposed for case numbers 12-335 and 12-336. Payment was made on May 23, 2012. The payments that were agreed to must be made on a monthly basis. \$250 for 1423 Rose Street and \$450 for 909 Elizabeth Street. A compliance hearing will be held on October 30, 2013 for 1423 Rose Street and February 26, 2014 for 909 Elizabeth Street unless the balance is prepaid prior to the due date.

34

**Case # 12-336**

Christine B Bollong  
909 Elizabeth Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Leonardo Hernandez  
Certified Service: 4-5-2012  
Initial Hearing: 4-25-2012

**Continued from April 25, 2012**

**Count 1:** The business tax receipt to rent this property is delinquent

The Special Magistrate found Christine Bollong in violation. One time cost of \$250 was imposed for case numbers 12-335 and 12-336. Payment was made on May 23, 2012. The payments that were agreed to must be made on a monthly basis. \$250 for 1423 Rose Street and \$450 for 909 Elizabeth Street. A compliance hearing will be held on October 30, 2013 for 1423 Rose Street and February 26, 2014 for 909 Elizabeth Street unless the balance is prepaid prior to the due date.

**35****Case # 12-442**

Eileen M Loungo  
1114 Elgin Lane  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Lynn Tsouchlos  
Certified Service:  
Initial Hearing: 5-23-2012

**In compliance, request dismissal**

**Count 1:** The business tax receipt for the rental of this property is delinquent.

Compliance was achieved on April 13, 2012 and this case was dismissed by the Special Magistrate.

**36****Case # 10-1450**

Peter Gomez  
Ann Marie Robinson R/S  
Wayne Garcia General Contracting  
936 United Street  
Sec. 102-152 Requirements for permits  
Officer Jim Young  
Certified Service: 9-24-2011  
Initial Hearing: 10-19-2011

**Continued from February 29, 2012 for compliance**

The columns that were installed are square and were approved as turned (round) columns.

Hugh Morgan requested a continuance to July 25, 2012 and it was granted by the Special Magistrate.

**37****Case # 10-1453**



Richard Wunsch  
613 Ashe Street  
Sec. 66-87 Business Tax Receipt Required  
Sec. 14-37 Building Permits, Display  
Sec. 90-363 Certificate of Occupancy  
Officer Jim Young  
POSTED: 5-6-2011  
Initial Hearing: 5-25-2011

**Continued from April 25, 2012 for compliance**

A business tax receipt is required to rent your property. A building permit is required to add a living unit. A certificate of occupancy is required for the third unit.

**Patrick Wright requested a continuance to July 25, 2012 and it was granted by the Special Magistrate.**

**38**

**Case # 11-929**

Cecil E Alf Irrevocable Trust  
Knabe Family Ltd. Partnership T/C  
c/o Craig Knabe, R/A  
431 Front Street  
Sec. 14-37 Building Permits Required; Display  
Sec. 14-40 Permits in the Historic District  
Officer Jim Young  
Certified Service: 8-15-2011  
Initial Hearing: 9-28-2011

**Continued from April 25, 2012 - this case will start at 10 am**

On July 19, 2011 a new sign was erected atop of the ticket booth located at 431 Front Street C without the required HARC Certificate of Appropriateness.

**Wayne LaRue Smith requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.**

**39**

**Case # 12-243**

Raul Cisneros  
Keys Shuttle  
3990 S Roosevelt Blvd  
Sec. 78-5 Business license or franchise required for all vehicles for hire  
Officer Jim Young  
Certified Service: 3-15-2012  
Initial Hearing: 4-25-2012

**Continued from April 25, 2012 for compliance**

**Count 1:** On March 18, 2012 at approximately 7:30 am I observed a Keys Shuttle van picking up a female passenger at the Double Tree Hotel.

**Raul Cisneros - Keys Shuttle - is not in compliance and the Special Magistrate imposed the fine.**

**40****Case # 12-360**

Stuart Weisfeld Estate  
c/o Joel Aresty  
Iesha Hope Weisfeld  
1004 Watson Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Jim Young  
Certified Service: 4-20-2012  
Initial Hearing: 5-23-2012

**Continuance granted to June 12, 2012**

**Count 1:** The business tax receipt to rent this property is delinquent

**Iesha Weisfeld requested a continuance to June 12, 2012 and it was granted by the Special Magistrate.**

**41****Case # 12-416**

Raul Cisneros  
Keys Shuttle  
701 Thomas Street B  
Sec. 78-5 Business license or franchise required for all vehicles for hire  
Officer Jim Young  
Certified Service: 3-15-2012  
Initial Hearing: 4-25-2012

**Continued from 4-25-2012 for compliance**

**Count 1:** On March 7, 2012 at approximately 9:15 am I observed a Keys Shuttle van picking up passengers at the Angelina Guesthouse.

**Raul Cisneros - Keys Shuttle - is not in compliance and the Special Magistrate imposed the fine.**

**42****Case # 12-537**

Rockwell Property, Inc.  
Richard W Hoy, DPS

Equator Resort  
2 Scheppens Lane  
Sec. 14-37 Building permits; professional plans; display of permits  
Officer Jim Young  
Certified Service: 4-2-2012  
Initial Hearing: 4-25-2012

**Continued from April 25, 2012 for compliance**

**Count 1:** For demolition of a gable roof without the benefit of a building permit on March 27, 2012. **Count 2:** For construction of a deck where the gable roof used to be without benefit of a building permit on March 27, 2012. **Count 3:** For construction of a fence on the roof deck without benefit of a building permit on March 27, 2012. **Count 4:** For construction of an outdoor staircase without benefit of a building permit on March 27, 2012.

**Richard Hoy - Rockwell Property, Inc. - is not in compliance and the Special Magistrate imposed the fine.**

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**Case # 12-60**

Traci Totino  
1800 Atlantic Blvd A208  
Sec. 18-601 Transient license  
Sec. 122-1371 Transient living accommodations in residential dwellings; regulations(d)(9) - **Eight Counts**  
Sec. 66-87 Business tax receipt required  
Sec. 122-299 Prohibited uses in MDR-C  
Officer Bonnita Myers  
Certified Service: 1-17-2012  
Initial Hearing: 2-29-2012

**Continued from March 28, 2012 for Settlement Agreement - Approved on May 17, 2012**

**Count 1:** The captioned property was held out and/or advertised as being available transiently on March 5, 2012 through March 12, 2012 without the benefit of a valid transient rental license. **Count 2:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 5, 2012. **Count 3:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 6, 2012. **Count 4:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 7, 2012. **Count 5:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 8, 2012. **Count 6:** The

respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 9, 2012. **Count 7:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 10, 2012. **Count 8:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 11, 2012. **Count 9:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on March 12, 2012. **Count 10:** The captioned property was held out and/or advertised as being available on March 5, 2012 through March 12, 2012 without benefit of a non-transient rental license. **Count 11:** The captioned property was is located in the MDR-C district which prohibits transient rentals.

The Special Magistrate found Traci Totino in violation. A settlement agreement was presented and approved. The respondents agree and stipulate to the imposition of a fine in the amount of \$2,750 and administrative costs of \$250 for a total of \$3,000. The respondent shall pay a fine in the amount of \$500 plus court costs of \$250 for a total of \$750. The balance of \$2,250 of the total fine shall be suspended for a period of 24 months from the date of the Special Magistrate's signature on the settlement agreement. The respondent shall obtain a non-transient rental license for the property and not commit any founded new code violations regarding the transient rental ordinance within the city for a period of 24 months from the date of the Special Magistrate's signature. If no new code violations concerning the transient rental regulations are found by the Special Magistrate at this property or any other property within the City owned by the respondent within 24 months, the suspended portion of the fine shall expire forthwith. The respondent has 30 days from the date of the Special Magistrate's signature to make full payment of \$750 and obtain the aforementioned non-transient rental license for the subject property. If payment is not made or the license is not secured within 30 days, the parties agree that the respondent will be in violation of the terms of this agreement and the suspended fine shall be imposed immediately by the Special Magistrate.

## Liens

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### Case # 11-212

Jarvis Nelson Osorio

1721 Johnson Street

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

Sec. 62-31 Maintenance of area between property line and adjacent

paved roadway

**Request for continuance denied**

The Special Magistrate approved the filing of the lien. The property is not in compliance.

**Adjournment**