



THE CITY OF KEY WEST
Code Compliance Division

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

POSTED NOTICE OF CODE VIOLATION

DATE: March 23, 2018
RE: CASE NUMBER 18-00000233

***POSTED AT 406
PETRONIA ST***

To: *Property owner*
Alexei Saenko
406 Petronia Street
Key West, Florida 33040

Subject Address: *Location of code violation*
406 Petronia Street
Key West, FL 33040

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

COUNT 1-3

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

(a)

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

Inspections may not be performed if the permit is not posted and address numbers are not a minimum of 4" high and clearly visible from the street.

Exception 1: Total contract price less than \$1,000.00 per FBC Sect. 105.2.2 Minor Repairs. Ordinary minor repairs may be made with the approval of the chief building official without a building permit, provided the repairs do not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangements of parts of a structure affecting the egress requirements; additionally, ordinary minor repairs shall not include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electrical

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circuit wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.

Any new electrical circuits or wiring will require a permit.

Any new plumbing fixtures or piping will require a permit.

Exception 2: Painting, both interior and exterior, residential or commercial does not require a permit. Tile repair or installation, floor covering, including carpet, laminate, resilient, and wood, both residential and commercial, do not require a permit.

Work that falls under the \$1,000.00 threshold for a building permit may be performed only by the property owner or a licensed contractor. Unlicensed workers, including 'handymen' are not allowed to conduct any type of work to a residential or commercial structure.

(b)

Professional plans required. Professional plans shall be required as follows:

(1)

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

(2)

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

(3)

The chief building official may waive the requirements in [subsection] (b)(1) and/or (2) by special permission.

(Code 1986, § 31.010; Ord. No. 15-06, § 1, 4-7-2015)

COUNT 2-3

Sec. 14-40. - Permits in historic districts.

(a)

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

and until the chief building official finds that the building or work permit conforms to all laws and regulations of the city.

(b)

Contents. All permits issued by the city shall show the nature and extent of the intended work in detail sufficient to demonstrate that the project is consistent with all city laws and regulations and of HARC.

(c)

[Scope, etc.] Building permit application shall be identical in scope, description and elevation views of the HARC project.

(d)

Stop work order; penalty. The chief building official is authorized to post a signed and dated notice to stop work on any site on which work is being performed in violation of the city laws and regulations or of HARC. Any person shall be guilty of an offense punishable as provided in section 1-15 if the person:

(1)

Performs work with actual or constructive knowledge that the work site has been posted by such notice, which notice has not been withdrawn by a dated, signed order of the chief building official; or

(2)

Removes, defaces, conceals or alters such notice to stop work, without a dated, signed authorization of the chief building official.

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

(Code 1986, §§ 31.013, 31.014, 31.016; Ord. No. 15-06, § 1, 4-7-2015)

COUNT 3-3

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

No person shall engage in, manage, carry on or practice, wholly or in part, within the city limits, any business, profession or occupation without first procuring a city business tax receipt. For the purposes of this article, any person holding himself out to the public by sign, printed matter, telephone directory classified section, city directory or otherwise as being engaged in business or as offering services or property to the public for a consideration, regardless of whether such person actually transacts any business or practices a profession, shall be considered as engaging in business and shall be liable for a business tax receipt fee thereon.

(Code 1986, § 91.01; Res. No. 06-292, § 1, 9-6-2006)



TO WIT: Responding to a citizen's complaint I conducted a site inspection of subject property on Thursday February 22nd, 2018 and observed evidence that roof has been treated with some type of sealant / coating which has run off onto parts of the city's sidewalk. This work requires a building permit and HARC approval. Also, our right of way was closed off with yellow caution tape attached to trash bins and a cone impeding pedestrian traffic. No one was on site and no one answered door at this commercial property so I issued and posted a stop work order informing property owner that after the fact permit and HARC approval need to be applied for and that a right of way permit will be needed if they are going to have to use our right of way. This property is being rented put non-transiently.

CORRECTIVE ACTION: Please visit our city offices to seek to apply for after the fact building permit and HARC approval for the roof and to obtain a right of way permit if you are going to have to use our right of way. Also, seek to obtain a business tax receipt from our Licensing Department.


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

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

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

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

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


Leonardo Hernandez
Code Compliance Officer
City of Key West
(305) 809-3730 Desk
(305) 788-8535 Cell
lhernandez@cityofkeywest-fl.gov
Work schedule M-F 8am-5pm

