

Glória K. McGee
2812 Fogarty Ave.
Key West, Fl 33040

March 24, 2011

Barbara Meizis-Code Compliance
PO Box 1409
Key West, Fl 33041

RECEIVED
MAR 28 2011
BY: C.....

Dear Ms. Meizis,

I am in receipt of a Notice of Violation issued by you and dated March 15th, 2011. Please accept the following response to this violation.

I have lived at this residence for over thirty eight years. None of my animals are newly acquired and all neighbors with the exception of two have lived in the neighborhood for many, many, years. I have never had problems, complaints, or issues concerning this matter or any other matter with any of the neighbors. In fact, in discussing this situation the neighbor directly across the street, and the ones directly to the right when facing the home, neither have any complaints with my animals. I also spoke to the neighbor on the left when facing the house that also advised that they are not bothered by my pets. I do not let them bother others, run loose or bark incessantly. They are in an enclosed back yard with a privacy fence and safe. I am approachable and usually do not have problems with neighbors unless a situation is handled like this one was. It was totally unnecessary and unwarranted. Three of the animals are over ten years old.

I am certain that you understand that most people call in complaints like this when there is an ax to grind and not because there is a real issue. In my particular situation I have a strong suspicion that this complaint was called in by my ex-husband's domestic partner with which he had a long term extra marital affair that resulted in a very nasty divorce. This is the only way they can hurt me.

My animals are loved and well cared for. I have worked with the Florida Keys SPCA to bring current all rabies vaccinations, and tags. The Director of the SPCA has also visited my home and animals twice and has documented the fact that she finds everything above standard

and that I have complied with everything she asked me to do. In a conversation with her she agreed with me that even though I do in fact have too many she feels that they are taken care of, and better off with me than to be surrendered to the SPCA based on the fact that that the SPCA is now and always is over inundated with too many animals that they cannot find homes for. She also advised that in a situation like this the Officer can use his or her discretion to do what they feel is right. She realizes that the best place for them is with me and my children where they are happy, and well cared for. They should be allowed to live out their lives with the owners that made a commitment to be their forever home and family.

I respectfully request that you reconsider this Notice of Violation and join the SPCA Director's decision to close the case and use Officer Discretion to do what is best for my animals, my children, and me. I do realize that I have too many, and will never make that mistake again but wish to honor the commitment I made to all of them for the remainder of their lives. I will be happy to provide letters of support from a variety of sources at your request. I am also willing to provide photos of them in their environment.

In an earlier conversation with you I was advised that your main concern was their condition. Ms. Huff has physically seen all of them and is quite pleased with their condition and how well they are cared for.

I ask you this, if the neighbors have no problem with them, the SPCA is happy, why wouldn't that also satisfy you? You can easily prove to anyone that would question your support of my situation that the best thing to do for all was to close the case. They are not hurting anyone, and they are cared for and if this is the main focus of this complaint everyone should be satisfied. As the SPCA Director says over half of Key West has too many animals, and she just wants them to have homes and be cared for.

I would greatly appreciate your reconsideration of this matter.

Sincerely,


Gloria "Kim" McGee



THE CITY OF KEY WEST
Code Compliance Division
P.O. BOX 1409
KEY WEST, FL 33041
(305) 809-3740

NOTICE OF CODE VIOLATION

Date: March 15, 2011
Re: Case Number 10-00001181

Certified Mail Receipt#: 7007 3020 0000 5346 9172

To:
Gloria K McGee, John W McGee T/C
2812 Fogarty Ave
Key West Fl 33040

Subject Address:
2812 Fogarty Ave
Key West, Florida 33040

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

Violation Detail

NUMBER RESTRICTED Sec. 10-16

Date Est: December 30, 2010 Location: 2812 Fogarty Avenue

Number of domestic animals is limited to four unless animals are six months or younger, or operating a duly licensed kennel or pet shop.

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 Master 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 MASTER 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 MASTER. 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.



Barbara Meizis
Code Compliance Officer
City of Key West
(305) 809-3729
bmeizis@keywestcity.com

Hand Served this day of _____, 2011

Received by: _____

Served By: _____

VIOLATION DETAIL

CASE NUMBER 10-00001181
PROPERTY ADDRESS 2812 FOGARTY AVE

VIOLATION: NUMBER RESTRICTED QUANTITY: 1
DESCRIPTION: Sec. 10-16 DATE: 9/13/10
LOCATION: 2812 FOGARTY AV

NARRATIVE :

Number of domestic animals is limited to four unless animals are six months or younger, or operating a duly licensed kennel or pet shop.

ORDINANCE DESCRIPTION :

No person may keep more than four domestic animals on any premises, unless the animals are six months or younger, without operating a duly licensed kennel or pet shop. However, exceptions to this requirement may be granted by the City commission, with any conditions deemed appropriate, for premises upon which are kept domestic animals of historical, social, or tourism significance. Any number of nonpoultry birds may be kept as long as they are adequately and humanely cared for and their noise does not reasonably intrude into the domain of the other persons.

CORRECTIVE ACTION REQUIRED :

Remove additional animals.