



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final Code Compliance Hearing

Wednesday, April 24, 2013

1:30 PM

Old City Hall

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 # 12-120

Peter & Dixie Janker

417 United Street

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

Sec. 14-40 Permits in historic district

Officer Bonnita Badgett

Certified Service: 3-22-2013

Initial Hearing: 4-24-2013

New Case

Count 1: On 1/20/2012 the city received a complaint regarding two units in the single family home. Upon request for a Lawful Unit Determination to the Planning Dept. it was determined this is a single family home. In order for your property to come into compliance the home will need to be brought back to its original structure. This will require demo permits for building and plumbing. **Count 2:** On 1/20/2012 the city received a complaint regarding two units in the single family home. Upon request for a Lawful Unit Determination to the Planning Dept. it was determined this is a single family home. In order for your property to come into compliance the home will need to be brought back to its original structure. This will require HARC approvals.

The Special Master found Peter & Dixie Janker in violation. Costs of \$250 were imposed. The court reserves the right to impose fines if compliance is not met by May 21, 2013. A compliance hearing will be held on May 22, 2013.

2

Case # 12-222

Peter Anderson
1205 11th Street
Sec. 66-102 Dates due and delinquent; penalties
Sec. 58-72 Responsibility of owner and tenant for payment
Sec. 74-206 Owners responsibility for payment
Officer Bonnita Badgett
Certified Service: 8-6-2012
Initial Hearing: 9-26-2012

Continued from November 14, 2012 for compliance

Count 1: The business tax receipt to rent this property is delinquent.
Count 2: The solid waste account is past due. **Count 3:** The sewer account is past due.

The Special Magistrate extended the compliance date to July 31, 2013.

3

Case # 12-883

Oxygen
Harley Cutler
Oliver Amar
Harper Business Services, Inc.
George W Harper, R/A
128 Duval Street
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Bonnita Badgett
Certified Service: 4-4-2013
Initial Hearing: 4-24-2013

In compliance, request dismissal

Count 1: On September 27, 2011 a Fire Inspection was performed at Oxygen. Code Compliance was informed on June 20, 2012 that the inspection fee had not been paid.

The Special Magistrate dismissed this case at the request of the Code Officer.

4

Case # 12-1688

Stephen Strunk
The Restaurant Store
Richard & Cathy Tallmadge
1111 Eaton Street
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Bonnita Badgett

Certified Service: 3-26-2013
Initial Hearing: 4-24-2013

New Case

Count 1: On November 19, 2012 the City received a complaint that tables and chairs are set up and people are eating at the Restaurant Store.

The Special Magistrate found Richard & Cathy Tallmadge in violation. Costs of \$250 were imposed. The court reserves the right to impose fines if compliance is not met by 5:00 pm, April 24, 2013. A compliance hearing will be held on May 22, 2013.

5

Case # 13-40

On Pointe Restaurant Group LLC
William Lay
Virgilio's
CT Corporation System, R/A
522 Duval Street
Sec. 62-2 Obstruction
Sec. 58-31 Container and receptacle requirements
Officer Bonnita Badgett
Certified Service: 4-2-2013 R/A
Initial Hearing: 4-24-2013

New Case

Count 1: On January 9, 2013 the city received another complaint regarding garbage containers and debris obstructing the sidewalk. A check with Waste Management shows that there is service of two 64 gallon and one 95 gallon containers 7 days a week. Recycle are seven 95 gallon containers Wednesday and Friday. all the cans are being left on the city right of way seven days a week. **Count 2:** The trash cans are stored on the city right of way which is prohibited.

The Special Magistrate found On Pointe Restaurant Group, LLC in violation. No fines or fees were imposed at the request of the code officer.

6

Case # 13-165

Bernadette D'Ornellos
3126 Flagler Avenue
Sec. 66-102 Dates due and delinquent; penalties
Officer Bonnita Badgett
Certified Service: 3-22-2013
Initial Hearing: 4-24-2013

In compliance, request dismissal

Count 1: On January 28, 2013 the city received a complaint regarding A Keys Wedding offering weddings in Key West. The business tax receipt expired on September 30, 2010.

The Special Magistrate dismissed this case at the request of the code officer.

7

Case # 12-977

Gary R & Diane M Onderdonk

Scott Ahrens T/C

2916 Riviera Drive

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

Officer Peg Corbett

Certified Service: 3-29-2013

Initial Hearing: 4-24-2013

New Case

Count 1: A converted shed was renovated into an accessory living unit without benefit of building permits and planning approval. A Lawful Unit Determination was made by the Planning Department denying the application. Based on the findings the unit must be reverted back to a shed. Since there is evidence that the unit was a shed in 1985, a variance is not required.

The Special Magistrate dismissed this case at the request of the code officer.

8

Case # 11-1286

Faye G Logun

2310 Patterson Avenue

Sec. 122-1078 Restrictions on buildings and structures, including entryways, Counts 1-5

Sec. 14-37 Building permits; professional plans; display of permits, Count 6

Sec. 90-356 Building permits required, Count 7

Sec. 90-391 Variances, Counts 8 and 9

Officer Peg Corbett

Certified Service: 8-3-2012

Initial Hearing: 9-26-2012

Continued from March 27, 2013 for compliance

Counts 1-5: Subject property has five rooms held out for rent (3 occupied at the time of inspection) without proper ingress/egress.

Count 6: The main house was altered/renovated to add the above five

subject rooms without the benefit of a building permit(s). **Count 7:** Two additional rooms were added to the original home in 2005 without the benefit of a building permit. **Counts 8 and 9:** For extending the main house to add the subject rooms identified in count one through five on the side setback of the property. For adding an outdoor shared bathroom facility on the rear setback of the property.

The Special Magistrate found Faye Logun in violation. Costs of \$250 were imposed.

9

Case # 12-1454A

Wilma R Jetter Estate

Roger A Wigle

2601 S Roosevelt Blvd C324

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

Sec. 102-158 Stop work order and penalty

Sec. 18-117 Acts declared unlawful

Officer Peg Corbett

Certified Service: 11-13-2012

Initial Hearing: 12-19-2012

Continued from March 27, 2013 for compliance

Irreparable violation

Count 1: Remodeling unit without benefit of a permit. **Count 2:** For working over a stop work order. **Count 3:** The person doing the remodeling was Floyd Roloff, an unlicensed contractor.

This case was continued to May 22, 2013 for a Settlement Agreement at the request of the attorney.

10

Case # 12-1454B

Floyd Roloff

2601 S Roosevelt Blvd C324

Sec. 14-37 Building Permits; professional plan; display of permit

Sec. 102-158 Stop work order and penalty

Sec. 18-146 License Required

Officer Peg Corbett

Certified Service: 2-7-2013 - original Notice of Hearing

Certified Service: - amended Notice of Hearing

Initial Hearing: 2-27-2013

Continued from March 27, 2013 - Settlement Agreement

Irreparable violation

Count 1: Received complaint on 2 October 2012 for remodeling this unit without the benefit of building permits. On 5-October 2012 a site

visit with Dan McMahon (property manager) confirmed that electrical, plumbing and renovations had been done. A stop work order was posted. **Count 2:** On 24 October 2012, another site visit was conducted with the building inspector, myself and Dan McMahon. Additional work had been done after the stop work order was issued. **Count 3:** On 5 October 2012, Mr. Wigel (owner) and the property manager were notified that the handyman, Floyd doing the work was not licensed and could not continue the renovation work.

The Special Magistrate found Mr. Roloff in violation. A Settlement Agreement was presented and approved. The respondent stipulates to the imposition of the Administrative costs in the amount of \$250. Respondent further agrees to the imposition of a \$500 fines. The total cost is \$750. The Respondent also agrees to a suspended fine of \$4,500. The suspension period will be for 24 months from the date of the Special Magistrate's signature on the Settlement Agreement. If Respondent is found in violation of this or similar violations again within 24 months of the Magistrate's signature, or if the Respondent understands that the \$4,500 suspended fine will be imposed in addition to any new fines. If Respondent is found in violation of any of the City of Key West code of ordinances as contained above again in the future, the respondent understands that any of the violations will be considered as repeat punishable by up to \$500 per day, per count in addition to the irreparable fines explained herein. Respondent agrees to immediately cease and desist activities that violate the code violations listed above at this or any other property in the City of Key West. The Respondent understands that the payment of the \$750 must be made within 30 days of the Magistrate's signature on the Settlement Agreement.

11

Case # 12-1744

Michael Bernhardt
815 Pearl Street 4
Sec. 58-63 Delinquency
Officer Peg Corbett
Certified Service: 3-16-2013
Initial Hearing: 3-27-2013

Continued from March 27, 2013 for compliance

Count 1: The sewer/solid waste account is delinquent.

The code officer stated that the property is not in compliance and the Special Magistrate imposed the fees and fines that were assessed at the hearing on March 27, 2013.

12

Case # 12-1762

Maor Kainan
1202 17th Terrace
Sec. 58-61 Determination and levy of charge
Sec. 90-363 Certificate of occupancy - required

Sec. 14-37 Building permits; professional plans; display of permits
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Sec. 122-237 Prohibited uses
Officer Peg Corbett
Posted: 2-8-2013
Initial Hearing: 2-27-2013

Continued from March 27, 2013 for compliance

Count 1: A second unit has been added on the second floor of the main house. Utility accounts and impact fees need to be setup and paid in full. **Count 2:** A second unit has been added on the second floor of the main house for which there is no certificate of occupancy. **Count 3:** A second unit was added to the second floor of the main house without the benefit of building permits as required by City ordinance. **Count 4:** There is a tenant who currently resides in the upstairs unit. There is no business tax receipt to rent the second unit. **Count 5:** Multiples dwelling units are not permitted in a single family district.

The Special Magistrate extended the compliance date to May 22, 2013 at the request of the code officer.

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Case # 13-143

Shafiqul D Islam
1205 1st Street
Sec. 14-37 Building permits; professional plans; display of permits
Sec. 90-363 Certificate of occupancy - required
Sec. 122-370 Dimensional requirements - MDR
Officer Peg Corbett
Certified Service: 3-14-2013
Initial Hearing: 3-27-2013

In compliance, request dismissal

Count 1: For installing pvc pipe to a converted shed by Robert's Plumbing without the benefit of required building permits. **Count 2:** For renting out the converted shed without a certificate of occupancy. **Count 3:** The converted shed was built in the setback of the subject property.

The Special Magistrate closed this case at the request of the code officer.

14

Case # 13-222

Cityview Trolley Tours of Key West, Inc.
c/o Gregory Wythe, R/A

Mallory Square
Sec. 18-414 Prohibited in certain locations
Officer Peg Corbett
Certified Service: 2-20-2013
Initial Hearing: 2-27-2013

Repeat/Irreparable Violation
Continued from March 27, 2013 - Settlement Agreement

Count 1: On February 11, 2013 at approximately 12:30 pm, a female employee (Darlene Gilkison) of Cityview Trolley approached a couple who were exiting the cruise ship Ryndam to ask if they had trolley tickets. When the couple replied no, the employee then handed them a Cityview map and began a transaction where tickets were exchanged and they were directed to other Cityview staff who then sold them tickets.

Additional paperwork was presented to the special magistrate and the settlement agreement was approved. The Respondents stipulate to a factual basis for this agreement and agree to finding of violation by the Special Magistrate for the violation of the Key West Code of Ordinances listed above.

Respondent City View Trolley Tours of Key West, Inc. agrees to the payment of a suspended fine of \$250 assessed in a previous code compliance case 10-1453 and to a finding of violation in case 10-1453. Respondents agree to the imposition of the Administrative Cost in the amount of \$250 to be paid equally between the Respondents. If Respondent City View Trolley Tours of Key West, Inc. is found in violation of Section 18-414(2) in the future, or if Respondent Darlene Gilkison is found in violation of Section 18-414(2) again in the future, Respondents understand that the violations will be considered as repeat, punishable by up to \$500 per day, per count. The Respondents also each agree to the payment of a fine in the amount of \$500. The total cost and fines will be \$1,500. The Respondents also agree to a suspended fine of \$4,500. The suspension period shall be for 24 months from the date of the Special Magistrate's signature on the settlement agreement. If Respondents are found in violation of this or similar violations again within 24 months of the Magistrate's signature, or if the Respondents are otherwise found to be in violation of this agreement by a judge of competent jurisdiction, Respondents understand that the \$4,500 suspended fine will be imposed in addition to any new fines. If Respondents are found in violation of Section 18-414(2) of the City of Key West code of ordinances again in the future, Respondents understand that the violation will be considered as repeat punishable by up to \$500 per day, per count in addition to the irreparable fines explained herein. Respondents agree to immediately cease and desist activities that violate the code violation(s) listed herein at this or any other property in the City of Key West. The Respondent has also added to their standard training and policy that off-premises canvassing is also prohibited at Mallory Dock.

c/o Gregory Wythe, R/A
Michael Thomas, P
Tim Nechville
Sec. 18-414 Prohibited in certain locations
Officer Peg Corbett
Certified Service: 2-20-2013
Initial Hearing: 2-27-2013

Repeat/Irreparable Violation
Continued from March 27, 2013 - Settlement Agreement

Count 1: On February 11, 2013 at approximately 12:20 pm a male employee (Tim Nechville) of Cityview Trolley approached an elderly couple who were exiting the cruise ship Ryndam and asked if they had trolley tickets. When the couple replied no, the employee then handed them a Cityview map and directed them to other Cityview staff who then sold them tickets.

Additional paperwork was presented to the special magistrate and the settlement agreement was approved. The Respondents stipulate to a factual basis for this agreement and agree to a finding of violation by the Special Magistrate for the violation of the Key West Code of Ordinances listed above. Respondents agree to the imposition of the Administrative Cost in the amount of Two Hundred and Fifty Dollars (\$250.00) to be paid equally between the Respondents. If Respondent CITY VIEW TROLLEY TOURS OF KEY WEST, INC. is found in violation of Section 18-414 (2) again in the future, or if Respondent TIMOTHY NECHVILLE is found in violation of Section 18-414 (2) again in the future, Respondents understand that the violations will be considered as repeat, punishable by up to \$500.00 per day, per count. The Respondents also each agree to the payment of a Fine in the amount of \$500. The total cost and fines will be \$1,250. The Respondents also agree to a suspended fine of \$4,500. The suspension period shall be for 24 months from the date of the Special Magistrate's signature on the Settlement Agreement. If Respondents are found in violation of this or similar violations again within 24 months of the Magistrate's signature, or if the Respondents are otherwise found to be in violation of this agreement by a judge of competent jurisdiction, Respondents understand that the \$4,500 suspended fine will be imposed in addition to any new fines. If Respondents are found in violation of Section 18-414 (2) of the City of Key West code of ordinances again in the future, Respondents understand that the violation will be considered as repeat punishable by up to \$500.00 per day, per count in addition to the irreparable fines explained herein. Respondent agrees to immediately cease and desist activities that violate the code violation(s) listed herein at this or any other property in the City of Key West. The Respondent has also added to their standard training and policy that off-premises canvassing is also prohibited at Mallory Dock.

3349 Flagler Avenue
Sec. 74-206 Owner's responsibility for payment
Sec. 74-209 Delinquent payments; disconnection and reconnection of service
Officer Leonardo Hernandez
Posted: 3-16-2013
Initial Hearing: 4-24-2013

New Case

Counts 1 and 2: The sewer account is delinquent

The Special Magistrate dismissed this case at the request of the code officer.

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Case # 12-1613

Orlando Alvarido
1010 Whitehead Street
Sec. 14-37 Building permits; professional plans; display of permits
Sec. 14-40 Permits in the historic district
Officer Barbara Meizis
Posted: 2-3-2013
Initial Hearing: 2-27-2013

Continued from March 27, 2013 for compliance

Count 1: A building permit is required prior to the construction of a new roof. **Count 2:** A certificate of appropriateness is required prior to the construction of a new roof.

The code officer stated that the property is not in compliance and the Special Magistrate imposed the fees and fines that were assessed at the hearing on March 27, 2013.

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Case # 13-101

Key West Office Management, Inc.
Pegasus International Hotel, R/A
420 Southard Street
Sec. 18-609 Use of parking areas for purposes other than parking prohibited
Sec. 122-929 Prohibited uses - HRO
Officer Barbara Meizis
Certified Service: 4-16-2013
Initial Hearing: 4-24-2013

New Case

Count 1: There are currently two trailers parked against the back fence. One has a generator and the other has recyclables. **Count 2:** Use of the parking lot for storage is prohibited in the Historic Residential/Office (HRO) district.

The Special Magistrate granted the request for a continuance to May 22, 2013.

19

Case # 12-1820

Living Dolls Inc.
Glenn Tanner
Herschell Major
Bianco Digennaro
516 Fleming Street
Sec. 114-103 Prohibited signs
Sec. 70-116 Prohibited parking
Officer Jim Young
Certified Service: 1-12-2013
Initial Hearing: 1-30-2013

Continued from March 27, 2013 - Settlement Agreement

Count 1: On 11 Dec 12, 17 Dec 12, 18 Dec 12, 19 Dec 12, 10 Jan 13 at ~ 12:46 am and 10 Jan 13 at ~ 1:04 am I observed a 1995 Chevrolet pick-up truck parked at the subject property with a prohibited portable sign attached to the rear bed. **Count 2:** No person shall park a vehicle upon any city street for the purpose of displaying advertising.

The Special Magistrate found Living Dolls Inc. in violation. A Settlement Agreement was presented. 1. The Respondents stipulate to a factual basis for this agreement and agree to a finding of violation by the Special Magistrate for the violation of the Key West Code of Ordinances listed above. 2. The Respondent(s) stipulate to the imposition of the Administrative Cost in the amount of Two Hundred and Fifty Dollars (\$250.00). A fine in the amount of Five Hundred Dollars (\$500.00) will also be imposed against each Respondent. The total cost and fines will be One Thousand Two Hundred and Fifty Dollars (\$1,250.00). The Respondent(s) also agree to a suspended fine of Four Thousand and Five Hundred Dollars (\$4,500.00) each. The suspension period shall be for 24 months from the date of the Special Magistrate's signature on the Settlement Agreement. If Respondent(s) are found in violation of this or similar violations again within 24 months of the Magistrate's signature, or if the Respondent(s) are otherwise found to be in violation of this agreement by a judge of competent jurisdiction, Respondent(s) understand that the Four Thousand Five Hundred Dollar (\$4,500.00) suspended fine will be imposed in addition to any new fines. If Respondent(s) are found in violation of Section 114-103 and 70-116 of the City of Key West code of ordinances again in the future, Respondent(s) understand that the violation(s) will be considered as repeat punishable by up to \$500.00 per day, per count in addition to the irreparable fines explained herein. 3. Respondent(s) agree to immediately cease and desist activities that violate the code violation(s) listed herein at this or any other property in the City of

Key West. 4. Respondent(s) understand that payment of the One Thousand Two Hundred and Fifty Dollars (\$1,250.00) shall be paid within thirty (30) days of the Special Magistrate's signature on the Settlement Agreement.

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Case # 13-57

Yuliya Andrews

The Adult Entertainment Club

Albert L Kelley, R/A

200 Block of Duval Street

Sec. 18-415 (b) (1) a. Restrictions in the Historic District

Sec. 18-441 Required

Officer Jim Young

Certified Service: 1-14-2013 - Albert Kelley

Certified Service: 1-14-2013 - Yuliya Andrews

Initial Hearing: 1-30-2013

Continued to May 22, 2013**Repeat/Irreparable**

Count 1: On January 10, 2013 at approximately 1:33 am, Anthony B Huggins was soliciting customers for the Adult Entertainment Club at 210 Duval Street which is a prohibited area. **Count 2:** An Off-Premises Canvassing permit is required to engage in off-premises canvassing.

The Special Magistrate granted the request for a continuance to May 22, 2013.

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Case # 13-59

Living Dolls

Glenn Tanner

Chelsea Lawson

300 Block of Duval

Sec. 18-415 (b) (1) a. Restrictions in the Historic District

Sec. 18-441 Required

Officer Jim Young

Certified Service:

Hand Serve: 1-10-2013 Chelsea Lawson

Certified Service: 1-12-2013

Initial Hearing: 1-30-2013

Continued from March 27, 2013 - Settlement Agreement

Count 1: On January 10, 2013 at approximately 1:45 am, Chelsea Lawson was soliciting customers for Living Dolls at 300 Block Duval Street which is a prohibited area. **Count 2:** An Off-Premises Canvassing permit is required to engage in off-premises canvassing.

The Special Magistrate found Living Dolls in violation. A Settlement Agreement was presented and approved. 1. The Respondents stipulate to a factual basis for this agreement and agree to a finding of violation by the Special Magistrate for the violation of the Key West Code of Ordinances listed above. 2. The Respondent(s) stipulate to the imposition of the Administrative Cost in the amount of Two Hundred and Fifty Dollars (\$250.00). A fine in the amount of Five Hundred Dollars (\$500.00) will also be imposed against each Respondent. The total cost and fines will be One Thousand Two Hundred and Fifty Dollars (\$1,250.00). The Respondent(s) also agree to a suspended fine of Four Thousand and Five Hundred Dollars (\$4,500.00) each. The suspension period shall be for 24 months from the date of the Special Magistrate's signature on the Settlement Agreement. If Respondent(s) are found in violation of this or similar violations again within 24 months of the Magistrate's signature, or if the Respondent(s) are otherwise found to be in violation of this agreement by a judge of competent jurisdiction, Respondent(s) understand that the Four Thousand Five Hundred Dollar (\$4,500.00) suspended fine will be imposed in addition to any new fines. If Respondent(s) are found in violation of Section 18-415 (b)(1) and 18-441 of the City of Key West code of ordinances again in the future, Respondent(s) understand that the violation(s) will be considered as repeat punishable by up to \$500.00 per day, per count in addition to the irreparable fines explained herein. 3. Respondent(s) agree to immediately cease and desist activities that violate the code violation(s) listed herein at this or any other property in the City of Key West. 4. Respondent(s) understand that payment of the One Thousand Two Hundred and Fifty Dollars (\$1,250.00) shall be paid within thirty (30) days of the Special Magistrate's signature on the Settlement Agreement.

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Case # 13-185

KWSC, Inc. d/b/a
Adult Entertainment Club
c/o Albert L Kelley, R/A
Yuliya Andrews, Owner
300 Block of Duval Street
Sec. 18-411 Title
Sec. 18-415 Restrictions in the historic district
Officer Jim Young
Certified Service: 2-8-2013 - R/A
Certified Service: 2-9-2013 - Owner
Initial Hearing: 2-27-2013

Repeat/Irreparable Violation**Continued to May 22, 2013**

Count 1: This article shall be known as the off-premises canvassing ordinance. **Count 2:** On January 10, 2013 at approximately 1:30 am, Neile Bassi Favreau was soliciting customers for the Adult Entertainment Club in the 300 block of Duval Street which is a prohibited area.

The Special Magistrate granted the request for a continuance to May 22, 2013.

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Case # 13-330

KW Parking, LLC
c/o Harold Wolfe, Jr. Esq., R/A
400 Whitehead Street
Sec. 14-40 Permits required in the historic district
Sec. 114-103 Prohibited signs in the historic district
Officer Jim Young
Certified Service:
Initial Hearing: 4-24-2013

Repeat Violation**New Case - Settlement Agreement**

Count 1: One March 5, 2013 and March 19, 2013 the Respondent had displayed several portable signs without HARC certificate of appropriateness. This is a repeat violation, case # 12-1598. **Count 2:** Portable signs are prohibited in the Historic District

The Special Magistrate found KW Parking LLC in violation. A Settlement Agreement was presented. 1. The Respondent stipulates to a factual basis for this agreement and agree to a finding of violation by the Special Magistrate for the violation of the Key West Code of Ordinances listed above. 2. The Respondent stipulates to the imposition of the Administrative Cost in the amount of Two Hundred and Fifty Dollars (\$250.00). The Respondent agrees to the payment of a fine in the amount of Five Hundred Dollars (\$500.00). The total fines and costs to be paid is Seven Hundred and Fifty Dollars (\$750.00). If Respondent is found in violation of Section 14-40 and Section 114-103 again in the future, Respondent understands that the violations will be considered as repeat, punishable by up to \$500.00 per day, per count. 3. Respondent also agrees to a suspended fine of Five Hundred Dollars (\$500.00). The suspension period shall be for 24 months from the date of the Special Magistrate's signature on the Settlement Agreement. If Respondent is found in violation of this or similar violations again within 24 months of the Magistrate's signature, or if the Respondent is otherwise found to be in violation of this agreement by a judge of competent jurisdiction, Respondent understands that the Five Hundred Dollar (\$500.00) suspended fine will be imposed in addition to any new fines. If Respondent is found in violation of Section 14-40 and Section 114-103 of the City of Key West code of ordinances again in the future, Respondent understands that the violation will be considered as repeat punishable by up to \$500.00 per day, per count. 4. Respondent agree to immediately cease and desist activities that violate the code violation(s) listed herein at this or any other property in the City of Key West. 5. Respondent understands that payment of the Seven Hundred and Fifty Dollars (\$750.00) shall be paid within thirty (30) days of the Special Magistrate's signature on the Settlement Agreement.

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Case # 13-472

Wilma R Jetter Estate
c/o Roger Wigle
2601 S Roosevelt Blvd C324

Sec. 14-37 Building permits; professional plans; display of permits
Sec. 18-117 Acts declared unlawful
Officer Jim Young
Certified Service:
Initial Hearing: 4-24-2013

In compliance, request dismissal

Count 1: On April 1, 2013 building inspector Wayne Giordano red tagged this property for interior and exterior renovations without benefit of a building permit. **Count 2:** Work was being performed by two unlicensed contractors.

The Special Magistrate dismissed this case at the request of the code officer.

Adjournment