

Harbor Walk selling photographs on February 23, 2012 at approximately 8:20 pm in violation of Sec. 18-415(b)(1)h. **Count 3:** Southernmost Photography was set up on the Harbor Walk selling photographs on March 22, 2012 at approximately 9:15 pm in violation of Sec. 18-415(b)(1)h. **Count 4:** Southernmost Photography was set up on the Harbor Walk selling photographs on April 2, 2012 at approximately 12:15 pm in violation of Sec. 18-415(b)(1)h.

The Special Magistrate found Daniel D Kolbe/Kolbe Corporation in violation of Off Premises Canvassing in a prohibited area, the Harbor Walk. Costs of \$250 were imposed. Also imposed was a fine of \$250 per count (4 counts). The total amount due to the City is \$1,250. He furthered that if there were any more violations starting April 26, 2012 that a fine of \$250 per violation would be imposed.

3**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**Continuance granted to May 23, 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.

The Special Magistrate granted the continuance request made by Ms. Stones to May 23, 2012.

4**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 March 28, 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.

The Special Magistrate granted the continuance request made by Officer Hernandez to May 23, 2012. The second reading for HARC approval is after the hearing today.

5**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. The DRC meeting will be held on April 26, 2012

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.

The Special Magistrate granted the continuance request made by Ms. Amato to May 23, 2012.

6**Case # 11-1548**

Tamara Redhead
1101 Simonton Street
Sec. 14-37 Building permits; professional plans; display of permits
Sec. 14-40 Permits in historic district
Sec. 90-363 Certificate of occupancy - required
Officer Leonardo Hernandez
Certified Service: 3-14-2012
Initial Hearing: 3-28-2012

Continued from March 28, 2012

Count 1: A complaint was received on December 27, 2011 that the shed was converted into living space without a permit. **Count 2:** A complaint was received on December 27, 2011 that the shed was converted into living space without HARC approval. **Count 3:** A Certificate of Occupancy was not issued to use the shed as a living unit.

The Special Magistrate found Ms. Redhead to be in violation for converting the shed into living space without the benefit of a building permit and HARC approval and for failure to obtain a certificate of occupancy. The request to continue this case from Ms. Stones was granted to July 25, 2012. The Special Magistrate reserves the right to impose costs and fines if compliance is not met by July 25, 2012.

7

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
Initial Hearing: 2-29-2012

Continued from March 28, 2012**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 Alliance Roofing Corporation in violation for roofing work without a permit and for working over a stop work order. Costs of \$250 were imposed. Also imposed was a fine of \$500. All fines and fees must be paid prior to the compliance hearing that will be held on May 23, 2012. The Special Magistrate continued the case against the property owner to May 23, 2012 for service.

8

Case # 12-49

Richard L Rettig Revocable TR
1011 Whitehead Street
Sec. 18-601 Transient License
Sec. 122-1371 Transient living accommodations in residential

dwellings; regulations(d)(9) - **Three Counts**
Sec. 122-599 Prohibited uses in HMDR
Officer Leonardo Hernandez
Certified Service: 1-13-2012
Initial Hearing: 2-29-2012

Continued from March 28, 2012
Irreparable Violation

Count 1: The captioned property was held out and/or advertised as being available transiently on January 7, 2012 through January 9, 2012 without 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 January 7, 2012. **Count 3:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on January 8, 2012. **Count 4:** The respondent held out the property in question as being available for rent transiently contrary to 122-1371(d)(9) on January 9, 2012. **Count 5:** The captioned property is located in the HMDR district which prohibits transient rentals.

The Special Magistrate found Mr. Rettig in violation of renting transiently without a transient rental license. The dates were corrected to show the transient rental was from January 10, 2012 through January 12, 2012. He imposed costs of \$250. Also imposed was a fine of \$250 per count, per day if compliance is not met by May 23, 2012. A compliance hearing will be held on May 23, 2012.

9

Case # 12-464
James Evans
Fishing Lore (vessel)
711 Eisenhower Drive
Sec. 66-102 Dates due and delinquent; penalties
Officer Leonardo Hernandez
Certified Service: 4-11-2012
Initial Hearing: 4-25-2012

New Case

Count 1: The business tax receipt for the vessel Fishing Lore is delinquent

The Special Magistrate after hearing testimony from Mr. Evan, granted the request for dismissal from Officer Hernandez. Mr. Evans no longer has his business.

10

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

Continuance granted to May 23, 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 granted the continuance request made by Officer Meizis to May 23, 2012.

11

Case # 12-463
Keith & Donna Golan
302 Southard Street 110B
Sec. 66-102 Date due and delinquent; penalties
Officer Barbara Meizis
Certified Service:
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 granted the continuance request made by Officer Meizis to May 23, 2012.

12

Case # 11-1525
Limor Doum Starkey
2104 Patterson Avenue
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Bonnita Myers
Posted: 4-4-2012
Initial Hearing: 3-28-2012

In compliance 4-12-2012, request dismissal

Count 1: On December 1, 2011 the city received a complaint that the subject property was being rented without a business tax receipt. a lease was received showing Christopher and Ashley Albo as the tenants.

The Special Magistrate granted the request to dismiss this case by Officer Myers.

13

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

Continuance granted to May 23, 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 granted the continuance request made by Ms. Eables to May 23, 2012.

14

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

New Case

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.

The Special Magistrate granted the continuance request made by Mr. Kelley to May 23, 2012 for an agreement.

15

Case # 12-276

Monique Abenhaim
1506 Catherine Street
Sec. 14-37 Building permits; professional plans; display of permits
Officer Bonnita Myers
Certified Service: 4-18-2012
Initial Hearing: 4-25-2012

New Case

Count 1: On February 15, 2012 a complaint was received regarding a shed that was installed too close to the property line without benefit of a building permit.

The Special Magistrate granted the request to dismiss this case by Officer Myers.

16

Case # 12-338

James & Holly Cooney
415 United Street
Sec. 66-87 Business tax receipt required
Officer Bonnita Myers
Certified Service: 4-7-2012
Initial Hearing: 4-25-2012

Continuance granted to May 23, 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.

The Special Magistrate granted the continuance request made by Mr. Cooney to May 23, 2012.

17

Case # 12-371

Thomasine Harper
1026 James Street

Sec. 66-102 Date due and delinquent; penalties
Officer Bonnita Myers
Certified Service:
Initial Hearing: 4-25-2012

New Case

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

The Special Magistrate granted the continuance request made by Officer Myers to May 23, 2012 for service.

18

Case # 12-380

Maor Kainan
1202 17th Terrace
Sec. 66-87 Business tax receipt required
Officer Bonnita Myers
Certified Service: 4-5-2012
Initial Hearing: 4-25-2012

In compliance 4-12-2012, request dismissal

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

The Special Magistrate granted the request to dismiss this case by Officer Myers.

19

Case # 12-428

Dan Michie
Discount Dumpsters LLC
1430 7th Street
Sec. 58-32 Dumpsters on public right-of-way
Officer Bonnita Myers
Posted: 4-13-2012
Initial Hearing: 4-25-2012

New Case

Count 1: Repeat violation for having a dumpster placed on the city right of way on March 9, 2012 without the benefit of a permit. **Count 2:** Repeat violation for having a dumpster placed on the city right of way on March 12, 2012 without the benefit of a permit. **Count 3:** Repeat violation for having a dumpster placed on the city right of way on March 13, 2012 without the benefit of a permit. **Count 4:** Repeat violation for having a dumpster placed on the city right of way on March 14, 2012 without the benefit of a permit. **Count 5:** Repeat violation for having a dumpster placed on the city right of way on

March 16, 2012 without the benefit of a permit. **Count 6:** Repeat violation for having a dumpster placed on the city right of way on March 19, 2012 without the benefit of a permit. **Count 7:** Repeat violation for having a dumpster placed on the city right of way on March 20, 2012 without the benefit of a permit. **Count 8:** Repeat violation for having a dumpster placed on the city right of way on March 21, 2012 without the benefit of a permit. **Count 9:** Repeat violation for having a dumpster placed on the city right of way on March 22, 2012 without the benefit of a permit.

The Special Magistrate found Discount Dumpsters, LLC - Daniel Michie in violation. He imposed \$250 court costs. Also imposed was a fine of \$500 per count (9 counts) for the repeat violation of placing a dumpster on the city's right of way without benefit of a permit. The total amount due to the City is \$4,750.

20**Case # 11-241**

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

Continuance granted to May 23, 2012

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

The Special Magistrate granted the continuance request made by Mr. Bradley to May 23, 2012.

21**Case # 12-335**

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

Continuance granted to May 23, 2012

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

The Special Magistrate granted the continuance request made by Ms. Bollong to May 23, 2012.

22**Case # 12-336**

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

Continuance granted to May 23, 2012

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

The Special Magistrate granted the continuance request made by Ms. Bollong to May 23, 2012.

23**Case # 12-342**

Peter & Dixie Janker
1301 Whitehead Street
Sec. 66-87 Business tax receipt required
Officer Lynn Tsouchlos
Certified Service:
Initial Hearing: 4-25-2012

In compliance 4-5-2012, request dismissal

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

The Special Magistrate granted the request to dismiss this case by Officer Tsouchlos.

24**Case # 10-919**

John A Williams
Paul N Hayes, R/A for
Rent Key West Vacations
1328 Atlantic Blvd
Sec. 66-87 Business Tax Receipt required for all holding themselves out to be engaged in business
Officer Jim Young
Certified Service: 9-22-2011
Initial Hearing: 10-29-2011

Continued to February 29, 2012 for compliance

A business tax receipt is required for all units being rented

The Special Magistrate approved the request from the City to impose costs and fines for this case. Costs of \$250 were imposed. Also imposed was a fine of \$100 per day starting April 25, 2012.

25

Case # 10-1319

Eloy M Lopez Jr

Stacy O'Keefe T/C

2403 Patterson Avenue Up

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

Sec. 58-61 Determination and levy of charge

Sec. 90-363 Certificate of occupancy - required

Officer Jim Young

POSTED: 2-22-2012

Initial Hearing: 1-25-2012

Continued from February 29, 2012

Count 1: A business tax receipt is required is required to rent the two units.

Count 2: There are two rental units on this property and only one sewer/solid waste account.

Count 3: A certificate of occupancy is required for the second unit.

The Special Magistrate granted the request to dismiss this case by Officer Young.

26

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 March 28, 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.

The Special Magistrate granted the continuance request made by Mr. Trepanier to May 23, 2012.

27

Case # 11-861

Yoram & Jai B Levy
2509 Harris Avenue
Sec. 66-102 Dates due and delinquent; penalties
Officer Jim Young
Certified Service: 2-27-2012
Initial Hearing: 3-28-2012

In compliance, request dismissal

Count 1: On July 7, 2011 the subject property was being rented and occupied by Heather Dagenais, Ariella Hogan and Ryan Satpula. The business tax receipt expired on September 30, 2008.

The Special Magistrate granted the request to dismiss this case by Officer Young.

28

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 March 28, 2012

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.

The Special Magistrate approved the continuance request to May 23, 2012 at 10 am. If an agreement can be reached by May 15, 2012, then the special set hearing will not be held.

29

Case # 11-1200

Tim Gallagher
2904 Harris Avenue
Sec. 90-363 Certificate of occupancy required

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Jim Young
Certified Service: 2-17-2012
Initial Hearing: 3-28-2012

In compliance April 24, 2012, request dismissal

Count 1: On September 22, 2011 I observed a habitable unit at the rear of the subject property. A check of the city records indicates there is no certificate of occupancy for this unit. **Count 2:** on September 22, 2011 I observed a habitable unit at the rear of the subject property being rented without the benefit of a business tax receipt.

The Special Magistrate granted the request to dismiss this case by Officer Young.

30

Case # 11-1209

Darryl Fohrman R/A for
Hildenborough Hotels LTD., Inc.
1129 Fleming Street
Sec. 122-839 Prohibited uses in HNC-2
Officer Jim Young
Certified Service: 10-26-2011
Initial Hearing: 11-16-2011

Continued from March 28, 2012 for ruling

The subject property has a bar and restaurant open to the general public. This type of activity is prohibited in the HNC-2 zoning district.

The ruling for this case was received on April 13, 2012. The Special Magistrate ruled in favor of the respondents.

31

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

New Case

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.

The Special Magistrate found Raul Cisneros - Keys Shuttle in violation. Costs of \$250 were imposed. Also imposed was a fine of \$250 per day if compliance is not met by May 22, 2012. A compliance hearing will be held on May 23, 2012.

32

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

New Case

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

The Special Magistrate found Raul Cisneros - Keys Shuttle in violation. Costs of \$250 were imposed. Also imposed was a fine of \$250 per day if compliance is not met by May 22, 2012. A compliance hearing will be held on May 23, 2012.

33

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

New Case**Repeat Violation**

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.

The Special Magistrate found Rockwell Properties, Inc. - Richard Hoy in violation. Costs of \$250 were imposed. Also imposed was a fine of \$500 per count (4 counts) for the repeat violation for demolition of a gable roof, construction of a deck, construction of a fence and construction of outside stairs without the benefit of a building permit if total compliance is not met by May 22, 2012 at noon. A compliance hearing will be held on May 23, 2012.

34

Case # 12-378

Katherine A O'Shea Rev Trust
Brian R Quattrini, R/S
Tarzan Tree Care
Sandra Downs - Contractor
414 Louisa Street
Sec. 110-321 - Required
Sec. 110-256 Tree abuse
Certified Service: 3-6-2012 - contractor
Certified Service: 3-21-12 - owner
Initial Hearing: 3-28-2012

Continued from March 28, 2012. The hearing for this case will start at 10 am

Count 1: A Royal Poinciana Tree was removed without a permit.

Count 2: Tree abuse is prohibited

The Special Magistrate recused himself from this case at the request of Ms. Downs. Mr. Yates will be the Special Magistrate for this and this case will be scheduled after May 9, 2012.

35

Case # 12-386

Tarzan Tree Care
Sandra Downs
534 Grinnell Street
Sec. 110-321 - Required
Certified Service: 3-21-2012
Initial Hearing: 3-28-2012

Continued from March 28, 2012. The hearing for this case will start at 10 am

Count 1: A Royal Poinciana Tree was not trimmed according to "best pruning practices" by ANSI A-300 standards

The Special Magistrate recused himself from this case at the request of Ms. Downs. Mr. Yates will be the Special Magistrate for this and this case will be scheduled after May 9, 2012.

Liens

36

Case # 11-1374
Daniel B Michie III
Discount Dumpsters LLC
1124 Margaret Street

The Special Magistrate approved the filing of the lien.

Adjournment