



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Code Compliance Hearing

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Wednesday, March 28, 2018

1:30 PM

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 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

**ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**Call Meeting to Order**

**Code Violations**

**1**

**Case # 17-1028**

Poinciana Park Partners, LLP - property owner

Jean Prophete Senat - mobile home owner

1300 15th Court Lot 1

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

Officer Sophia Doctoche

Certified Service: 8-28-2017 - property owner

Certified Service: 8-21-2017 - mobile home owner

Initial Hearing: 10-18-2017

**In compliance 12 Mar 2018, request dismissal**

**Count 1:** For failure to a building permits to replace wallboard in the enclosure on the porch.

The request to dismiss this case was granted by the Special Magistrate. The costs imposed at the hearing in November were paid and the property was brought into compliance of 12 Mar 2018.

2

**Case # 17-1293**

Marie Delus

Poinciana Park Partners, LLP

1300 15th Court Lot 11

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

Officer Sophia Doctoche

Certified Service: 10-16-2017 - Marie Delus

Initial Hearing: 11-15-2017

**Continued from 28 Feb 2018 for compliance****Count 1:** Construction of an addition to the subject property without benefit of required permits.

**Marie Delus attended the hearing with an interpreter. Officer Doctoche stated that Stanley Shaw was in just after 8 today to apply for a permit to demolish the trailer. Fines have been running since the February hearing. The Special Magistrate stated that they must call when the demolition is complete to stop the fines from running.**

3

**Case # 17-1312**

George &amp; Leonor Pallas

1125 Washington Street

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - Counts 1 & 2Sec. 66-87 Business tax receipt required for all holding themselves out to  
be engaged in business - Count 3 & 4

Sec. 90-363 Certificate of Occupancy - required - Counts 5 &amp; 6

Sec. 58-61 Determination and levy of charge - Counts 7 &amp; 8

Officer Sophia Doctoche

Certified Service: 11-17-2017

Initial Hearing: 12-20-2017

**Continuance granted to 30 May 2018**

**Counts 1 & 2:** For failure to obtain a building permit for converting the property from 3 units to 5 units. **Counts 3 & 4:** For failure to obtain a business tax receipt for units 4 and 5. **Counts 5 & 6:** For failure to obtain a certificate of occupancy for unit 4 and for unit 5. **Counts 7 & 8:** The subject property has 3 utility accounts associated with the property. The accounts do not reflect the 2 unrecognized units.

The request to continue this case to 30 May 2018 was previously granted by the Special Magistrate.

4

**Case # 17-1391**

Steven E Ness

1319 United Street 1

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

Sec. 26-32 Nuisances illustrated

Sec. 26-31 Offensive and nuisance conditions prohibited

Sec. 62-2 Obstructions

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptionsSec. 66-87 Business tax receipt required for all holding themselves out to  
be engaged in business

Sec. 90-363 Certificate of occupancy - required

Sec. 58-61 Determination and levy of charge

Officer Sophia Doctoche

Certified Service: 2-28-2018

Initial Hearing: 3-28-2018

**Continuance granted to 25 Apr 2018**

**Count 1:** For failure to clear the property of all unsightly or unsanitary conditions. **Count 2:** For leaving dirty bowls/plates out on the right of way for the chickens that cause a foul odor in the neighborhood. **Count 3:** For failure to clean the property of all food, containers and debris left outside. **Count 4:** For obstructing the right of way with bowls, plates, pots and pans to use for feeding the chickens. **Count 5:** For failure to obtain a building permit for the third unit. **Count 6:** For failure to obtain a business tax receipt to rent the third unit. **Count 7:** For failure to obtain a certificate of occupancy for the third unit. **Count 8:** For failure to obtain utility accounts for the third unit.

**The request to continue this case to 30 May 2018 was previously granted by the Special Magistrate.**

5

**Case # 17-1499**

1018 Truman LLC

844 Olivia Street

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

Sec. 14-40 Permits in historic districts

Sec. 14-262 Request for inspection

Officer Sophia Doctoche

Certified Service: 2-26-2018

Initial Hearing: 2-28-2018

**In compliance 9 Mar 2018, request dismissal**

**Count 1:** For failure to obtain an electrical permit for installation of the security cameras. **Count 2:** For failure to obtain a certificate of appropriateness for installation of the security cameras. **Count 3:** For failure to obtain inspections for the electrical work.

The request to dismiss this case was granted by the Special Magistrate. Compliance was obtained 9 Mar 2018.

6

**Case # 14-623**

Wilbur Wright 725 LLC

Peter Williams

1724 Bahama Drive

Sec. 90-363 Certificate of occupancy - required

Sec. 58-61 Determination and levy of charge - **request dismissal**

Officer Leonardo Hernandez

Certified Service:

Initial Hearing: 3-28-2018

**New Case**

**Count 1:** For failure to obtain a certificate of occupancy for the additional unit. ~~Count 2: For failure to pay the impact fees for the additional unit.~~

Lori Thompson of Trepanier & Associates attended the hearing. Officer Hernandez stated the only item left to obtain compliance is to update the business tax receipt. Ms. Thompson requested 30 days to update the paperwork for the new owners. The Special Magistrate granted the request and continued this case to 25 Apr 2018.

7

**Case # 17-1261**Redmarq Homes LTD Co. - **request dismissal**James Lewis Redmond - **request dismissal**

Marcel, Milan &amp; Dominika Kozak - property owners

1501 Truman Avenue Down Rear

Sec. 18-117 Acts declared unlawful - **request dismissal**Sec. 18-157 Employment of unlicensed persons prohibited - **request dismissal**

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

Sec. 14-40 Permits in historic districts

Sec. 14-235 Permits required - **request dismissal**Sec. 14-327 Inspection - **request dismissal**

Sec. 14-261 Failure to obtain

Sec. 14-262 Request for inspection

Officer Leonardo Hernandez

Certified Service: 12-6-2017 - property owners

Initial Hearing: 1-3-2018

**Continued from 31 Jan 2018**

~~Count 1: For aiding and abetting unlicensed contractors. Count 2: Employment of unlicensed persons is prohibited. Count 3: For working over the scope of permit 17-2809. Count 4: A/C condensers were installed without the benefit of a Certificate of Appropriateness. Count 5: A mechanical permit is required to install a/c condensers. Count 6: Inspections are required for mechanical installations. Count 7: Electrical work being done without the benefit of a electrical permit. Count 8: Electrical apparatus work requires inspection.~~

**Marcel & Milan Kozak attended the hearing. Officer Hernandez asked if Mr. Kozak admitted to the violations, which he did. Officer Hernandez requested costs of \$250 and to reserve on fines for 60 days. The Special Magistrate found Marcel & Milan Kozak in violation. Costs of \$250 were imposed. The court reserves the right to impose fines if compliance is not obtained by 29 May 2018. A compliance hearing will be held on 30 May 2018.**

8

**Case # 17-1277**

Michael &amp; Sophak Ngov

3713 Donald Avenue

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

Officer Leonardo Hernandez

Certified Service: 2-6-2018

Initial Hearing: 2-28-2018

**Continued from 28 Feb 2018 for compliance**

**Count 1:** For failure to obtain a building permit for the roof and shed. Permits have been in the Planning Department since 16 Oct 2017 waiting several requirements from the owner, i.e. setbacks, site plan, impervious surface calculations, elevation drawings and the need of a survey.

**Officer Hernandez stated that the property is not in compliance. The Special Magistrate imposed the fines that were announced at the hearing on 28 Feb 2018.**

9

**Case # 17-1501**

Melvin H Eaton

719 Waddell Avenue

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

Sec. 14-40 Permits in historic districts

Officer Leonardo Hernandez

Certified Service: 2-12-2018

Initial Hearing: 3-28-2018

**In compliance 27 Mar 2018, request dismissal**

**Count 1:** For failure to obtain a building permit for the fence that was built. **Count 2:** For failure to obtain a certificate of appropriateness for the fence that was built.

**The request to dismiss this case was granted by the Special Magistrate. Compliance was obtained 27 Mar 2018.**

10

**Case # 17-1644**

Poinciana Park Partners, LLC - property owner

Louis Pierre Fils - mobile home owner

1300 15th Court 45

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

Officer Leonardo Hernandez

Certified Service: 2-5-2018 - property owner

Initial Hearing: 3-28-2018

**In compliance 26 Feb 2018, request dismissal**

**Count 1:** For failure to obtain building permits for the roof, addition and interior work that has been done.

The request to dismiss this case was granted by the Special Magistrate. Compliance was obtained 26 Feb 2018.

11

**Case # 17-1666**

Dominika - Milan & Marcel Kozak

1501 Truman Ave

Sec. 26-32 Nuisances illustrated

Officer Leonardo Hernandez

Certified Service: 2-14-2018

Initial Hearing: 3-28-2018

**In compliance 22 Feb 2018, request dismissal**

**Count 1:** For failure to maintain the swimming pool.

The request to dismiss this case was granted by the Special Magistrate. Compliance was obtained 22 Mar 2018.



12

**Case # 18-30**

Lee F &amp; Melanie Bennett

2811 Staples Avenue

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

FBC P2503.1 Inspections

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

Sec. 90-363 Certificate of occupancy - required

Sec. 58-61 Determination and levy of charge

Officer Leonardo Hernandez

Certified Service: 2-2-2018

Initial Hearing: 3-28-2018

**New Case**

**Count 1:** For failure to obtain building permits for the kitchen, storage room, wall siding and ceiling work that was done. **Count 2:** For failure to obtain inspections for plumbing work. **Count 3:** For failure to obtain a business tax receipt to rent. **Count 4:** For failure to obtain a certificate of occupancy for the second unit. **Count 5:** For failure to obtain utility accounts for the second unit.

**Officer Hernandez stated that there is an illegal unit. Both the Property Appraiser and the City only recognize 1 unit. He stated that he spoke to Mr. Bennett who stated that they are in foreclosure the but property is still in their name. They can apply for the Lawful Unit Determination and obtain the business tax receipt or to remove the illegal unit with the proper permits. Nothing has been done. The certificate of title has not been done. The Special Magistrate imposed costs of \$250 and a \$250 per day, per count (total 5 counts) fine if compliance is not obtained by 24 Apr 2018. A compliance hearing will be held 25 Apr 2018.**

13

**Case # 16-1570**

Robert Reilly

Nicola Roques

1535 5th Street

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptionsFBC 1612.4 Flood Hazard Construction & ASCE 24-05 Unprotected  
Enclosed Below Design Flood Elevation

Sec. 122-238 Dimensional requirements. Paragraph 6, Section a.

Single-family

Officer Beau Langford

Certified Service: 10-16-2017

Initial Hearing: 11-15-2017

**Continuance granted to 25 Apr 2018**

**Count 1:** Construction of a new one room structure and roof structural changes to the original house have been made without the benefit of required permits. **Count 2:** Did install, or installing or allowed to be installed, an inhabitable structure within a FEMA designated AE-8 flood zone, below the minimum required elevation deemed necessary for flood damage prevention. **Count 3:** One room structure is currently being built within the rear setback of the property and possibly on top of a 10' utility easement.

**The request to continue this case to 30 May 2018 was previously granted by the Special Magistrate.**

14

**Case # 18-17**

Linda Rae Phillips

16 Starfish Pier

Sec. 122-130 - Prohibited uses - **Repeat violation**

Officer Beau Langford

Certified Service: 2-7-2018

Initial Hearing: 2-28-2018

**Continued from 28 Feb 2018**

**Count 1 through 7:** For transiently renting the boat out on AIRBNB.com which is prohibited in the Conservation Zoning area. Was able to rent this property for 7 nights for a total of \$1,463. This is a repeat violation, case 16-197 was found in violation. Other cases cited were 15-992, 15-991 and 15-990.

Linda Rae Phillips attended the hearing. Officer Langford submitted evidence and gave testimony. He was able to go onto the website and book a seven-night stay. Ms. Phillips stated that she was guilty but wanted to explain. She and her husband started a business which was going very well prior to the hurricane. Her business stopped after and she needed to make payments on her boats to keep them going so she advertised on AIRBNB. She is selling her boats. The Special Magistrate found Ms. Phillips in violation. Costs of \$250 were imposed. Also imposed was a fine of \$500 for the repeat violation. These costs and fines will be imposed on both cases.

15

**Case # 18-19**

Linda Rae Phillips

11 Starfish Pier

Sec. 122-130 Prohibited uses - **Repeat violation**

Officer Beau Langford

Certified Service: 2-7-2018

Initial Hearing: 2-28-2018

**Continued from 28 Feb 2018**

**Count 1 through 7:** For transiently renting the boat out on AIRBNB.com which is prohibited in the Conservation Zoning area. Was able to rent this property for 7 nights for a total of \$1,446. This is a repeat violation, case 16-197 was found in violation. Other cases cited were 15-992, 15-991 and 15-990.

**See case 18-17.**

16

**Case # 17-1283**

Ted J McByrnett Estate

Joseph Krygier

1007 Thomas Street

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

Officer Gerald Leggett

Certified Service:

Initial Hearing: 2-28-2018

**New Case**

**Count 1:** For failure to remove debris, garbage and rubbish from the property that have been determined to be a fire hazard.

Joseph Krygier attended the hearing. He stated that he is on the will, but does not have title to the property. Mr. Richard Klitenick is helping him to locate a probate attorney. The Special Magistrate continued this case to 25 Apr 2018.

17

**Case # 17-982**

Sheila McFarland

1625 Flagler Avenue

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

Officer Jorge Lopez

Certified Service: 8-29-2017

Initial Hearing: 10-18-2017

**Continued from 28 Feb 2018 for compliance**

**Count 1:** For exceeding the scope of the paving permit by installing pavers on the City right-of-way.

Officer Lopez stated that the contractor obtained a permit to repair the right of way, but it has not been done. The Special Magistrate imposed the fines announced at the hearing on November 15, 2017.

18

**Case # 17-1213**

Erwin Mayer &amp; Didier R Moritz - property owner

1300 15th Court Lot 77

Sec. 90-363 Certificate of Occupancy - required

Sec. 58-61 Determination and levy of charge

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

Officer Jorge Lopez

Certified Service: 11-16-2017 - property owner

Initial Hearing: 12-20-2017

**Continued from 28 Feb 2018****Count 1:** For failure to obtain a certificate of occupancy for the addition that was built. **Count 2:** For failure to pay impact fees related to utilities.**Count 3:** For failure to obtain building permits for the addition to the trailer and for the installed plumbing.

Officer Lopez submitted evidence. Also submitted was a letter from Mr. Mayer. Officer Lopez stated that the property owner said that the structure was there back in 1991 but there are no available permits showing this. Mr. Ramsingh stated this is the same as the earlier case # 17-1293. The Special Magistrate denied Mr. Mayer's objection without prejudice. He imposed costs of \$250 and a fine of \$250 per day if compliance is not obtained by 24 Apr 2018. A compliance hearing will be held on 25 Apr 2018.

19

**Case # 17-1561**

E &amp; M Imports Inc.

Eliran Damri - Registered Agent

120 Duval Street 122

Sec. 18-441 Required

Officer Jorge Lopez

Hand Served: 12-4-2017

Initial Hearing: 1-31-2018

**The City requests dismissal of this case****Count 1:** On November 23, 2017, Code received a photograph and a video showing an employee (Nataliya Shkurat) from the subject business actively off premise canvassing in front of the store.**The request to dismiss this case was granted by the Special Magistrate.**

20

**Case # 17-1624**

Jean Ocean & Marie Noel  
1213 14th Street Lot 204  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 90-363 Certificate of occupancy - required  
Officer Jorge Lopez  
Certified Service: 3-1-2018  
Initial Hearing: 3-28-2018

**New Case**

**Count 1:** For failure to obtain a building permit prior to enclosing the porch. **Count 2:** For failure to obtain a certificate of occupancy for the additional room.

Officer Lopez gave testimony. He said that the permit to remove the lattice was on 23 Mar 2018 but is still there. The Special Magistrate imposed costs of \$250. Also imposed was a fine of \$250 per day, per count if compliance is not obtained by 24 Apr 2018. A compliance hearing will be held on 25 Apr 2018.

21

**Case # 18-113**

Richard Dostal  
210 Truman Avenue  
Sec. 26-126 Clearing of property of debris and noxious material required  
Sec. 62-2 Obstructions - **In compliance 13 Mar 2018, request dismissal**  
Officer Jorge Lopez  
Certified Service: 2-9-2018  
Initial Hearing: 2-28-2018

**Continued from 28 Feb 2018**

**Count 1:** For failure to maintain the property. The yard is overgrown and there is bulk waste in the rear side of the property. ~~Count 2: The fence that was blown down is obstructing the sidewalk and the safe passage of pedestrians.~~

Officer Lopez requested that count 2 be dismissed, the fence has been removed from the right of way. The owner has been working on clearing the property but it still not in compliance. The Special Magistrate imposed costs of \$250. Also imposed was a daily fine of \$250 if compliance is not obtained by 24 Apr 2018. A compliance hearing will be held on 25 Apr 2018.

22

**Case # 18-124**

Richard &amp; Kelly S Dostal, Estate

208 Truman Avenue

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

Officer Jorge Lopez

Certified Service: 2-9-2018

Initial Hearing: 2-28-2018

**Continued from 28 Feb 2018**

**Count 1:** For failure to maintain the property. It is overgrown and there are piles of yard debris and bulk waste. This property has previously been cited for the same conditions (Cases 15-918 and 16-1410).

**Officer Lopez stated that the owner has been working on clearing the property but it still not in compliance. The Special Magistrate imposed costs of \$250. Also imposed was a daily fine of \$250 if compliance is not obtained by 24 Apr 2018. A compliance hearing will be held on 25 Apr 2018.**

23

**Case # 16-455**

Donald R Lynch

820 Carstens Lane

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **Counts 1 - 3**Sec. 102-152 Required for permits - **Counts 4 - 5**Sec. 90-142 Historic Architectural Commission Design Guidelines  
adopted - **Count 6 - in compliance, request dismissal**

Officer Kenneth JW Waite

Certified Service: 2-3-2017 - amended notice

Posted: March 30, 2017

Initial Hearing: 10-19-2016

**Continued from 20 Dec 2017 for compliance**

**Count 1:** For failure to obtain a building permit for the enclosure of the second story porch. **Count 2:** For failure to obtain a building permit for the exterior stairway. **Count 3:** For failure to obtain a building permit and inspections for the plumbing that was installed. **Count 4:** For failure to obtain a certificate of appropriateness for the enclosure of the second story porch. **Count 5:** For failure to obtain a certificate of appropriateness for the exterior stairway. **Count 6:** For failure to obtain a certificate of appropriateness for the satellite dish that was installed.

**Gregory Oropeza attended the hearing. There was a discussion concerning the stay of fines until the completion of the appeal. The Special Magistrate granted the request. Mr. Ramsingh stated that he would contact Code once the appeal was done to put the case back on the agenda.**



24

**Case # 17-1198**

Harold J Merritt II

Marianne L Csigi

1301 Atlantic Drive

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

Sec. 90-363 Certificate of Occupancy - required

Sec. 58-61 Determination and levy of charge

Sec. 14-262 Request for inspection

FBC 1612.4 &amp; ASCE 24-05 Floor hazard construction

FBC 1612.5; ASCE 24-05 Sec 2.6 Flood venting required

Officer Kenneth JW Waite

Certified Service: 10-23-2017

Initial Hearing: 12-20-2017

**Continuance granted to 30 May 2018**

**Count 1:** For failure to obtain building permits to convert the shed into habitable space. **Count 2:** For failure to obtain a Certificate of Occupancy for the shed. **Count 3:** For failure to obtain a solid waste account for shed. **Count 4:** For failure to obtain an electrical inspection for installing electric in the storage area/habitable space below the house for the window air conditioners. **Count 5:** For the construction of habitable space under the elevated home in a flood zone for use other than the permitted uses for storage, parking or access to higher building levels. **Count 6:** For failure to provide adequate flood venting for a substantially improved residential building located in the AE-8 flood zone. **Count 7:** Electrical appliances have been installed below the minimum flood safety elevation.

**The request to continue this case to 30 May 2018 was previously granted by the Special Magistrate.**

25

**Case # 18-06**

Brian Sharples - Director - **Counts 3 through 20**  
Corporation Service Company - Registered Agent  
D/B/A CSC - Lawyers Inc. - **Counts 3 through 20**

Michael J McMahon - **Counts 1 through 20**

107 Front Street Unit 217

Sec. 18-601 License required - **Irreparable**

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations (d) (9)

Officer Kenneth JW Waite

Certified Service: 1-12-2018 - Brian Sharples

Certified Service: 1-17-2018 - Corporate Service Company

Certified Service:

Initial Hearing: 2-28-2018

**Continuance granted to 30 May 2018**

**Count 1:** During a routine inspection, found a black Cadillac parked in the subjects parking space. Made contact with Frances and Valerie Sirotzki inside the unit. Mrs. Sirotzki forwarded the rental agreement along with all correspondence between the couple, HomeAway and Michael J McMahon. Rental agreement was for 18 nights, dates of 19 Dec 2017 through 6 Jan 2018 for a total of \$21,787.66. **Count 2:** The subject property has not had the requisite fire inspection. Owner has not provided the requisite TDC tax account with Monroe County Tax Collector or DBPR licensing information. There is no medallion for this property. **Counts 3 through 20:** The subject property owner is holding out for transient rental for 18 nights, the date of 19 Dec 2017 through 6 Jan 2018 for a total of \$21,787.66.

**The request to continue this case to 30 May 2018 was previously granted by the Special Magistrate.**

26

**Case # 18-86**

Richard &amp; Kathlyn Smith

Daniel Max &amp; Kathlyn Smith

1800 Atlantic Blvd A209

Sec. 18-601 License required

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulationsSec. 122-1371 Transient living accommodations in residential dwellings;  
regulations(d)(9)

Officer Kenneth JW Waite

Certified Service: 2-5-2018

Initial Hearing: 3-28-2018

**In compliance 22 Feb 2018, request a Finding of Violation without fees or fines**

**Count 1:** A transient rental license is required to rent the property transiently. **Count 2:** The subject property owner is holding out/advertising for short term rental without the benefit of the required city, county and state licensing and does not have a transient medallion and has not been inspected by the City of Key West Fire Department. **Count 3-8:** The subject property owner is holding out for transient rental for 6 nights the dates of 14 Apr 2018 through 20 Apr 2018 for a total of \$2,789.00.

**Officer Waite stated that was cited before for this same violation. He requested a Findings and Order without fees and fines. The Special Magistrate granted his request.**

27

**Case # 18-237**

Pavla Boan

Helena Brychta

2421 Flagler Avenue

Sec. 18-601 License Required - **Irreparable**

Sec. 122-1371 Transient living accommodations in residential dwellings - regulations

Sec. 122-1371 Transient living accommodations in residential dwellings - regulations(d)(9)

Officer Kenneth JW Waite

Hand Served: 2-22-2018

Initial Hearing: 3-28-2018

**Settlement Agreement**

**Count 1: Irreparable** - The subject property was rented transiently for the dates of 16 Feb 2018 through 18 Feb 2018 for a total of \$907.20 by Cody Marks without the benefit of a transient license. **Count 2:** The subject property owner is holding out/advertising for short term rental without the benefit of the required city, county and state licensing and the subject property does not have a transient medallion and has not been inspected by the City of Key West Fire Department. **Counts 3 and 4:** The subject property owner(s) held out for transient rental to Mr. Marks for 2 nights the dates of 16 Feb 2018 through 18 Feb 2018 for a total of \$907.20.

A Settlement Agreement was presented to the Special Magistrate which he approved. The Respondent stipulates to the imposition of Administrative Costs of \$250. The Respondent also stipulates to a fine of \$907.20. The Respondent stipulates to a suspended fine in the amount of \$5,000.

**Adjournment**