

**From:** [Peter Janker](#)  
**To:** [Carlene Smith](#); [dkrause@mcpafl.org](mailto:dkrause@mcpafl.org)  
**Cc:** [Don Craig](#); [John Woodson](#); [Jim Young](#); [Bonnila Badgett](#)  
**Subject:** RE: 417 United  
**Date:** Tuesday, December 11, 2012 2:08:39 PM

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Carlene

Mr. Krause is scheduled to be in after 2 pm today and I will try to give him a call. I've added Mr. Krause as an addressee for his information on the email string.

I have no problem with your inspecting the apartment on the 27th of Dec., please give me a call at 703-850-0986 to set up link up arrangements that day. If you could send me your cell phone information that could be useful if there are any last minute issues regarding my notification of the tenant.

Regarding your points:

The layout of the apartment is the same as when I purchased the home. The same number of rooms etc. It appears that the setup was done so that the apartment could be a separate unit or so that it could be combined as sort of a mother-in-law unit. I assumed that the door connecting the two units was left in place due to safety concerns about having a second exit, which I believe is what code requires.

A census would only capture how it was being used at that specific point in time. If one would check from 1997 to today, only one resident would be identified even though the apartment has been rented almost that entire time. At one time or another either my family was using the apartment and renting out the main home or using the main house and renting out the apartment as we are doing today. It is conceivable that I would at some point rent the home to a larger family what would use the apartment as a guest room or for a master bedroom or for that matter as a room for a teenager.

There is a second electrical box for the apartment but you are correct there is only one meter. A second meter could be added but I saw no reason for it, since utilities are simply split. I purchase a home at 1301 Whitehead Street and it has two meters as well as two kitchens, yet that does not necessary make it a two unit home.

417 United has two sewer independent hookups points, with the apartment having its own dedicated connection point. It does not have its own water line but multi-unit homes in the same area of town also do not have their own water meter. One garbage container has been more than sufficient and I was not aware of the requirement to pay for an additional sewer, however the city has been aware of the two sewer connections since the big emphasis was placed on checking building laterals, which I recall was about 10 years ago.

It would seem that the evidence of it being used as a second unit would easily be provided by county records which records this officially as early as 1986. In addition, it is easy to see by a simple inspection of the apartment, that it was constructed as a second unit to the home. Its not how I would have done it but its what I inherited when I purchased the home.

V/r

Peter

--- On **Tue, 12/11/12, Carlene Smith <cesmith@keywestcity.com>** wrote:

From: Carlene Smith <cesmith@keywestcity.com>  
Subject: RE: 417 United  
To: "Peter Janker" <psjanker@yahoo.com>  
Cc: "Don Craig" <dcraig@keywestcity.com>, "John Woodson" <jwoodson@keywestcity.com>, "Jim Young" <jjyoung@keywestcity.com>, "Bonnita Badgett" <bbadgett@keywestcity.com>  
Date: Tuesday, December 11, 2012, 1:15 PM

Mr. Janker,

Our files indicate that a permit was issued for an addition; however, further research revealed the following:

1. Polk Directories (1987-1994) list only one resident at this location;
2. Land Use Inventory from 1991 states that only one unit was recognized during the 1990 census;
3. Keys Energy confirms one meter on site; and
4. City utilities acknowledge sewer/garbage account for one unit.

**We are not disputing that the addition exists.** However, there is not sufficient evidence that the addition was a separate unit since there was access from the main house. The additional site visit is not required; however, the reason for the visit is to find additional information to help reach a positive determination. I am waiting for a call back from Mr. Krause from the property appraiser to view any additional information he may have. If you have additional evidence that recognizes two units, please submit them to me as soon as possible. Both the Building Official and I are available to meet on Thursday morning, December 27<sup>th</sup>. If I do not receive additional information by the end of the month, I will proceed with a determination.

Thank you.

Carlene Smith

**From:** Peter Janker [mailto:[psjanker@yahoo.com](mailto:psjanker@yahoo.com)]  
**Sent:** Tuesday, December 11, 2012 10:47 AM

**To:** Carlene Smith  
**Cc:** Don Craig; John Woodson; Jim Young; Bonnita Badgett  
**Subject:** RE: 417 United

Carlene

I am confused. Mr. Dave Krause the Monroe County Property Planner reported to me that a permit was pulled and the apartment legally built back in 1977. Direct evidence backed by documentation recognized that the home was recognized by the county as being two units as of 1986. He contracted me in 1997 (shortly after I purchased the home) regarding switching it back to one unit, and after extensive discussions with him I elected to keep it as two units. Since then I've since paid the fees to rent the apartment and I also ensured it was not counted as part of my Homestead exception. I was unaware of city issues until contacted by your office.

Have you talked to Mr. Krause to confirm the time line above?

I have no issue with another visit and will be in Key West starting the 22nd of Dec thru the 2nd of Jan.

I am unclear as to the purpose of the third visit by a "building official". What is it that you are attempting to confirm? Is the sole purpose of this visit for determining the validity of a second unit or is there other objectives of the visit? You mention the "structural" expertise of the building official, is there some structural issues that you are investigating or have knowledge about which I should be aware of?

My presumption is that you want to validate that the apartment was built in 1977 and basically has remained unchanged? (In terms of size and layout....of course disregarding flooring, replacement of plumbing fixtures and other routine maintenance modifications) If you can age the unit to 1977 then I presume that the 2 unit designation would made, is that in fact the case?

V/r

Peter

--- On Tue, 12/11/12, Carlene Smith <[cesmith@keywestcity.com](mailto:cesmith@keywestcity.com)> wrote:

From: Carlene Smith <[cesmith@keywestcity.com](mailto:cesmith@keywestcity.com)>  
Subject: RE: 417 United  
To: "Peter Janker" <[psjanker@yahoo.com](mailto:psjanker@yahoo.com)>  
Cc: "Don Craig" <[dcraig@keywestcity.com](mailto:dcraig@keywestcity.com)>, "John Woodson" <[jwoodson@keywestcity.com](mailto:jwoodson@keywestcity.com)>, "Jim Young" <[jjyoung@keywestcity.com](mailto:jjyoung@keywestcity.com)>, "Bonnie Badgett" <[bbadgett@keywestcity.com](mailto:bbadgett@keywestcity.com)>  
Date: Tuesday, December 11, 2012, 8:38 AM

Good morning Mr. Janker. As of today, the information I have obtained points to one non-transient unit at 417 United. I understand that both Code and Planning have made site visits to your location. However, I am requesting an additional site visit to ensure that nothing was missed which could alter the determination. I would be accompanied by the Building Official who has extensive experience in evaluating structural issues, and can also provide an assessment of the approximate age of the unit by focusing on materials, fixtures and finishes.

If you would like for me to proceed with a determination based on the information we currently have, please let me know and I will act accordingly.

Thank you.

Carlene Smith

**From:** Peter Janker [mailto:[psjanker@yahoo.com](mailto:psjanker@yahoo.com)]  
**Sent:** Friday, December 07, 2012 4:25 PM  
**To:** [cesmith@keywestcity.com](mailto:cesmith@keywestcity.com)  
**Subject:** Fw: RE: 417 United

Carlene

I was wondering if you were able to contact Dave on the construction data you need and if so is there is any longer a reason to visit the property again.

V/r

Peter

--- On **Tue, 12/4/12**, Peter Janker <[psjanker@yahoo.com](mailto:psjanker@yahoo.com)> wrote:

From: Peter Janker <[psjanker@yahoo.com](mailto:psjanker@yahoo.com)>  
Subject: RE: 417 United  
To: "Carlene Smith" <[cesmith@keywestcity.com](mailto:cesmith@keywestcity.com)>  
Date: Tuesday, December 4, 2012, 12:24 PM

Carlene

Are you planning on calling Mr. Krause? He will be able to identify the home as a duplex as of 1986.

V/r

Peter

--- On **Tue, 12/4/12, Carlene Smith** <[cesmith@keywestcity.com](mailto:cesmith@keywestcity.com)> wrote:

From: Carlene Smith <[cesmith@keywestcity.com](mailto:cesmith@keywestcity.com)>  
Subject: RE: 417 United  
To: "Peter Janker" <[psjanker@yahoo.com](mailto:psjanker@yahoo.com)>  
Date: Tuesday, December 4, 2012, 11:09 AM

Thank you. I will review the documents attached and let you know if I have any questions.

-Carlene

**From:** Peter Janker [mailto:[psjanker@yahoo.com](mailto:psjanker@yahoo.com)]  
**Sent:** Tuesday, December 04, 2012 10:15 AM  
**To:** [cesmith@keywestcity.com](mailto:cesmith@keywestcity.com)  
**Cc:** Peter Janker  
**Subject:** 417 United

Ms Smith

Attached are some document provided to me by the county, not sure if they are part of the package or not. Enclose also is the POC that I had talked to regarding the home being listed as a multiple resident duplex as of 1986.

Dave Krause C.F.E.

MCPAFL

500 Whitehead St

Key West Fl. 33040

305-292-3520

Please contact me if you require additional information or access to the apartment.

v/r

Peter

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