



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

**NOTICE OF CODE VIOLATION/NOTICE OF  
ADMINISTRATIVE HEARING**

DATE: November 5, 2013  
RE: CASE NUMBER 13-00001361

CERTIFIED MAIL RECEIPT#: 7012 2210 0000 6244 9123

To:  
DANA KNOX  
1018 JAMES ST  
KEY WEST FL 33040

Subject Address:  
1018 JAMES ST  
Key West, FL 33040

**TAKE NOTICE** that the City of Key West Code Compliance Division has requested the City of Key West Special Magistrate to conduct an administrative hearing regarding code violation(s) reported to you by **NOTICE OF CODE VIOLATION** concerning the above noted subject address. You were noticed that your property is in violation of the City of Key West Code of Ordinances for the following reason(s):

**Count 1: Transient License Required Sec. 18-601**

To wit: On October 20, 2013, the respondent was advertising/holding out the rental of the residence on Craig's List for a price of \$4,000.00 per week, without the required transient rental business tax receipt.

**Count 2: Transient License Required Sec. 18-601**

To wit: On October 21, 2013, the respondent was advertising/holding out the rental of the residence on Craig's List for a price of \$150.00 per night, without the required transient rental business tax receipt.

**Count 3: Transient License Required Sec. 18-601**

To wit: On October 28, 2013, the respondent was advertising/holding out the rental of the residence on Craig's List for a price of \$100.00 per night, without the required transient rental business tax receipt.

**Count 4: Transient License Required Sec. 18-601**

To wit: On November 2, 2013, the respondent was advertising/holding out the rental of the residence on Craig's List for a price of \$100.00 per night, without the required transient rental business tax receipt.

**Corrective Action: Cease the transient advertising.**

**Count 5: Transient Living Accommodations Sec. 122-1371 (d) (9)**

To wit: On October 20, 2013, the respondent was advertising/holding out the rental of the residence on Craig's List for a price of \$4,000.00 per week.

**Count 6: Transient Living Accommodations Sec. 122-1371 (d) (9)**

To wit: On October 21, 2013, the respondent was advertising/holding out the rental of the residence on Craig's List for a price of \$150.00 per night.

**Count 7: Transient Living Accommodations Sec. 122-1371 (d) (9)**

To wit: On October 28, 2013, the respondent was advertising/holding out the rental of the residence on Craig's List for a price of \$100.00 per night.

**Count 8: Transient Living Accommodations Sec. 122-1371 (d) (9)**

To wit: On November 2, 2013, the respondent was advertising/holding out the rental of the residence on Craig's List for a price of \$100.00 per night.

**Corrective Action: Cease the transient advertising.**

**Count 9: Prohibited Uses in the Historic Medium Density Residential District (HMDR) Sec. 122-599**

To Wit: On October 20, 2013, the respondent was advertising/holding out the transient rental of the residence on Craig's List for a price of \$4,000.00 per week, in violation of the Historic Medium Density Residential (HMDR) Zoning District.

**Count 10: Prohibited Uses in the Historic Medium Density Residential District (HMDR) Sec. 122-599**

On October 21, 2013, the respondent was advertising/holding out the transient rental of the residence on Craig's List for a price of \$150.00 per night, in violation of the Historic Medium Density Residential (HMDR) Zoning District.

**Count 11: Prohibited Uses in the Historic Medium Density Residential District (HMDR) Sec. 122-599**

To wit: On October 28, 2013, the respondent was advertising/holding out the transient rental of the residence on Craig's List for a price of \$100.00 per night, in violation of the Historic Medium Density Residential (HMDR) Zoning District.

**Count 12: Prohibited Uses in the Historic Medium Density Residential District (HMDR) Sec. 122-599**

To wit: On November 2, 2013, the respondent was advertising/holding out the rental of the residence on Craig's List for a price of \$100.00 per night, in violation of the Historic Medium Density Residential (HMDR) Zoning District.

**Corrective Action: Cease the transient advertising.**

In accordance with Florida Statutes § 162 and Code of Ordinances, City of Key West, § 2-631 through § 2-647, The City of Key West has scheduled a hearing to be held at **Old City Hall, 510 Greene Street, Key West, Florida at 1:30 P.M. on:**

**November 20, 2013**

The Chambers will be open at 1:00 PM. These proceedings may be televised.

The purpose of this hearing is to determine if a violation(s) exists, the appropriate action to be taken, if any is required, and if any fines or penalties are to be imposed. **YOU ARE REQUESTED TO APPEAR AT THIS HEARING** to present evidence and/or testimony to show cause, if any, why you should not comply with City Ordinances. **YOUR FAILURE TO APPEAR MAY RESULT IN A FINE OR PENALTY BEING IMPOSED AGAINST YOU AND A LIEN BEING IMPOSED UPON YOUR PROPERTY.**

You have a right to have an attorney present at the hearing. If an attorney represents you, your attorney must file written notice with this office prior to the hearing date.

If you intend to request a continuance from the Hearing Date set out above you must submit a written request for a continuance addressed to the Special Magistrate and mailed to PO Box 1409, Key West, FL 33041 or delivered to the Special Magistrate's Legal Analyst at 3139 Riviera Drive, Key West, FL 33040. All requests must be received at least five (5) working days prior to the Hearing Date set out above. If the request is not received five (5) working days prior to the Hearing Date you or your attorney must appear on the Hearing Date to petition the Special Magistrate for a continuance. If any continuance is granted this will not stay discovery and all records previously requested must be supplied to the City or formally objected to.

**Be advised that, if you decide to appeal any decision of the Special Magistrate in this code enforcement hearing, you shall be responsible to ensure that a verbatim record of the proceedings of this code enforcement hearing is made, such that any evidence and testimony upon which an appeal may be based can be submitted to the appellate court.**

If you are found to be in violation of City of Key West Ordinances, administrative costs in the amount of **\$250.00** may be levied for administrative recovery for prosecution and investigation in addition to levied fines associated with the violation(s). **Failure to pay these costs will result in a lien against the property in violation.**

**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 MAGISTRATE. FINES MAY BE IMPOSED ON A PER DAY/ PER VIOLATION BASIS.**



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