



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final - Final

Code Compliance Hearing

Wednesday, May 31, 2017

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 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 # 17-455

Silver & Gold Treasures, LLC
Ricardo Adefuin
114 Fitzpatrick Street 116
Sec. 58-68 Commercial solid waste accounts
Officer Bonnita Badgett
Certified Service: 4-9-2017
Initial Hearing: 5-31-2017

New Case

Count 1: Failure to have an active Waste Management garbage account.

Ricardo Adefuin attended this hearing. Officer Badgett gave testimony. Ricardo Adefuin admitted to the violation. The Special Magistrate found Mr. Adefuin in violation. He imposed Administrative fees of \$250.00 and to reserve the right to impose a fine if compliance is not obtained by June 27, 2017.

2

Case # 16-1541

Poinciana Partners, LLP - Property Owner

Jean Walner Desire - Tenant

1300 15th Court Lot 63

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

Officer Sophia Doctoche

Certified Service: 12-15-2016 - Property Owner

Certified Service: 12-9-2016 - Tenant

Initial Hearing: 1-25-2017

Continued from April 26, 2017 for compliance**Count 1:** Porch and back enclosure built without benefit of building permits.

Jean Walner Desire and Luigi, General Contractor Key West Trimworks, attended this hearing. Office Doctoche gave testimony stating no work has been done. Mr. Desire gave testimony asking for more time. Mr. Luigi gave testimony asking for 30 days to get in there to do the work. The Special Magistrate said he could not extend the compliance date for 30 days as this has been going on since November 2016. The Special Magistrate found Mr. Desire in violation. He imposed Administrative Fees of \$250. He also imposed a daily fine of \$100 per day beginning June 20, 2017 if compliance is not obtained.

3

Case # 17-413

Edward J Mckeon III

1203 20th Terrace

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

Officer Sophia Doctoche

Certified Service: 3-29-2017

Initial Hearing: 5-31-2017

In compliance April 27, 2017; request dismissal**Count 1:** Failure to maintain grass at the property to avoid breeding, fire hazards or creating unsanitary conditions.**The Special Magistrate granted the request to dismiss this case.**

4

Case # 17-459

Island Refrigeration & AC

David McCain

1319 William Street

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

Sec. 14-40 Permits in historic districts

Sec. 14-327 Inspection

Sec. 14-256 Required

Sec. 14-262 Request for inspection

Officer Sophia Doctoche

Certified Service: 4-6-2017

Initial Hearing: 5-31-2017

In compliance April 11, 2017; request dismissal

Count 1: Failure to obtain a building permit for the newly installed AC unit at the subject property. **Count 2:** Failure to obtain a HARC certificate of appropriateness. **Count 3:** Failure to obtain the required mechanical inspection. **Count 4:** Failure to obtain required electrical permit. **Count 5:** Failure to have the required electrical inspection.

The Special Magistrate granted the request to dismiss this case.

5

Case # 17-561

Crystal Clear Pools of Big Pine Key Inc.

Charles Wicht

1209 Laird Street

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

Officer Sophia Doctoche

Certified Service: 4-28-2017

Initial Hearing: 5-31-2017

In compliance May 10, 2017; request dismissal

Count 1: Failure to obtain required permits for the construction of the pool at the subject property.

The Special Magistrate granted the request to dismiss this case.

6

Case # 17-226

Robert Bowersox Trust 12/30/92

1212 Georgia Street

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

Sec. 14-40 Permits in historic districts

Officer Leonardo Hernandez

Certified Service: 3-31-2017

Initial Hearing: 4-26-2017

Continuance granted to August 30, 2017

Count 1: For failure to obtain a building permit for the wooden deck prior to starting construction. **Count 2:** For failure to obtain a certificate of appropriateness for the wooden deck prior to starting construction.

The Special Magistrate granted the request to continue this case to August 30, 2017.

7

Case # 17-411

Zapp Rideshare, Inc.

200 William Street

Sec. 66-92 License required for each location

Sec. 122-688 Conditional Uses

Sec. 18-381 Instruction and training

Sec. 18-355 Recreational rental vehicle deemed conditional use

Officer Leonardo Hernandez

Certified Service: 3-30-2017

Initial Hearing: 4-26-2017

In compliance May 8, 2017; request dismissal

Count 1: A license is required for each location for a business. **Count 2:** Rentals of mopeds/scooters are prohibited in the HRCC-1 (Historic Residential Commercial Core) district without a conditional use. **Count 3:** Zapp Rideshare is renting mopeds/scooters without the required instruction and training. **Count 4:** A conditional use is required to have a moped/scooter business in the HRCC-1 district.

The Special Magistrate granted the request to dismiss this case.

8

Case # 17-415

Zapp Rideshare, Inc.

Frank Scozzafava

3850 North Roosevelt Boulevard - Hilton Garden Inn

Sec. 66-92 License required for each location

Sec. 122-418 Conditional uses

Sec. 18-381 Instruction and training

Sec. 18-355 Recreational rental vehicle deemed conditional use

Officer Leonardo Hernandez

Certified Service: 3-30-2017

Initial Hearing: 4-26-2017

In compliance May 8, 2017; request dismissal

Count 1: A license is required for each location for a business. **Count 2:** Rentals of mopeds/scooters are prohibited in the CG (Commercial General) district without a conditional use. **Count 3:** Zapp Rideshare is renting mopeds/scooters without the required instruction and training. **Count 4:** A conditional use is required to have a moped/scooter business in the CG district.

The Special Magistrate granted the request to dismiss this case.

9

Case # 17-416

Zapp Rideshare, Inc.

Frank Scozzafava

3824 North Roosevelt Boulevard

Sec. 66-92 License required for each location

Sec. 122-688 Conditional uses

Sec. 18-381 Instruction and training

Sec. 18-355 Recreational rental vehicle deemed conditional use

Officer Leonardo Hernandez

Certified Service: 4-1-2017

Initial Hearing: 4-26-2017

In compliance May 8, 2017; request dismissal

Count 1: A license is required for each location for a business. **Count 2:** Rentals of mopeds/scooters are prohibited in the CG (Commercial General) district without a conditional use. **Count 3:** Zapp Rideshare is renting mopeds/scooters without the required instruction and training. **Count 4:** A conditional use is required to have a moped/scooter business in the CG district.

The Special Magistrate granted the request to dismiss this case.

10

Case # 17-417

Zapp Rideshare, Inc.

Frank Scozzafava

3852 North Roosevelt Boulevard - The Gates Hotel

Sec. 66-92 License required for each location

Sec. 122-418 Conditional uses

Sec. 18-381 Instruction and training

Sec. 18-355 Recreational rental vehicle deemed conditional use

Officer Leonardo Hernandez

Certified Service: 4-1-2017

Initial Hearing: 4-26-2017

In compliance May 8, 2017; request dismissal

Count 1: A license is required for each location for a business. **Count 2:** Rentals of mopeds/scooters are prohibited in the CG (Commercial General) district without a conditional use. **Count 3:** Zapp Rideshare is renting mopeds/scooters without the required instruction and training. **Count 4:** A conditional use is required to have a moped/scooter business in the CG district.

The Special Magistrate granted the request to dismiss this case.

11

Case # 17-446

Zapp Rideshare, Inc.

Frank Scozzafava

3800 North Roosevelt Boulevard - Wrecker's Bar & Grill

Sec. 66-92 License required for each location

Sec. 122-418 Conditional uses

Sec. 18-381 Instruction and training

Sec. 18-355 Recreational rental vehicle deemed conditional use

Officer Leonardo Hernandez

Certified Service: 4-3-2017

Initial Hearing: 4-26-2017

In compliance May 8, 2017; request dismissal

Count 1: A license is required for each location for a business. **Count 2:** Rentals of mopeds/scooters are prohibited in the CG (Commercial General) district without a conditional use. **Count 3:** Zapp Rideshare is renting mopeds/scooters without the required instruction and training. **Count 4:** A conditional use is required to have a moped/scooter business in the CG district.

The Special Magistrate granted the request to dismiss this case.

12

Case # 17-554

Zapp Rideshare, Inc.

Frank Scozzafava

3820 North Roosevelt Boulevard

Sec. 66-92 License required for each location

Sec. 122-418 Conditional uses

Sec. 18-381 Instruction and training

Sec. 18-355 Recreational rental vehicle deemed conditional use

Officer Leonardo Hernandez

Certified Service: 4-25-2017

Initial Hearing: 5-31-2017

In compliance May 8, 2017; request dismissal

Count 1: License is required for each location for a business. **Count 2:** Rentals of mopeds/scooters are prohibited in the CG (Commercial General) district without a conditional use. **Count 3:** Zapp Rideshare is renting mopeds/scooters without the required instruction and training. **Count 4:** A conditional use is required to have a moped/scooter business in the CG district.

The Special Magistrate granted the request to dismiss this case.

13

Case # 16-1552

Laney & Stephanie Caston
1901 South Roosevelt Boulevard S302
Sec. 18-601 License required
Sec. 122-1371 Transient living accommodations in residential dwellings
Sec. 122-1371 Transient living accommodations in residential dwellings - **Counts 2 - 14**
Officer Beau Langford
Certified Service: 1-23-2017
Initial Hearing: 2-15-2017

Continuance granted to July 26, 2017

Count 1: For holding the property out for short term rentals on VRBO.com for the dates of 15 Jan 2017 through 27 Jan 2017 without a transient rental license. **Count 2:** For holding the property out for short term rentals on VRBO.com for the dates of 15 Jan 2017 through 27 Jan 2017 without the benefit of the required city, county and state licensing, medallion and fire inspection. **Counts 3 through 14:** The subject property owner is holding out for transient rental for 12 nights for a total of \$3,744.00.

The Special Magistrate granted the request to continue this case to July 26, 2017.

14

Case # 17-333

Poinciana Mobile Home Park - property owner

Louis Saintelien - mobile home owner

1300 15th Court 31

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

Officer Gerald Leggett

Certified Service: 4-1-2017 - mobile home owner

Certified Service: 4-1-2017 - property owner

Initial Hearing: 4-26-2017

Continued from April 26, 2017 for compliance**Count 1:** For failure to obtain a building permit prior to construction of the addition.

Louis Saintelien attended this compliance hearing with his translator. Officer Leggett gave testimony. Mr. Saintelien gave testimony through his translator. Office Leggett stated he has not come into compliance. The Special Magistrate asked Mr. Saintelien if the trailer looks like the photo now and he stated yes. The Special Magistrate finds the respondent not in compliance. The fine of \$250 per day will start June 1, 2017 until in compliance.

15

Case # 16-1247

Stuart Kessler

1801 North Roosevelt Boulevard

Sec. 14-185 Compartmentation and flotation devices

Officer Jorge Lopez

Certified Service: 12-28-2016

Initial Hearing: 1-25-2017

Continued from April 26, 2017 for compliance

Count 1: Owner of the vessel was notified by the Dock Master that this vessel needs to be repaired and to secure the floating device. As of December 14, 2016, there has been no progress towards compliance.

Mr. Kessler attended this compliance hearing. He stated Hugh Morgan is unable to attend the hearing as there is a conflict. Mr. Ramsingh gave testimony asking for daily fines to start running May 16, 2017. Officer Lopez gave testimony stating he has not been given any documentation that there is compliance. Mr. Kessler gave testimony stating he is trying to come into compliance. The Special Magistrate asked if Mr. Kessler has any evidence that he is compliance. Mr. Kessler stated he does not have pictures or any affidavits from any other individuals like a Marine Surveyor or Architect. Mr. Kessler gave documentation that he had for the Special Magistrate to look over. The Special Magistrate discussed the documents with Mr. Kessler. The Special Magistrate stated the problem is there is no evidence to prove compliance. The Special Magistrate finds Mr. Kessler not in compliance. Mr. Ramsingh would ask to begin the daily fines that were found at the previous two hearings. The Special Magistrate states fines will continue to run from May 16, 2017 until compliance is obtained.

16

Case # 17-49

Keys Cooling, LLC

Christopher Gazzale - Registered Agent

Scott Ostlund - Property Owner

620 Thomas Street 286

Sec. 14-325 Permit required

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 Jorge Lopez

Posted: 3-29-2017

Initial Hearing: 3-29-2017

Continuance granted to June 28, 2017

Count 1: Failure to obtain required permits for the installation of HVAC units. **Count 2:** Failure to apply and obtain the required mechanical permit for the HVAC units. **Count 3:** Failure to obtain a certificate of appropriateness for the HVAC units. **Count 4:** Failure to obtain required permits and inspections for the HVAC units.

The Special Magistrate granted the request to continue this case to June 28, 2017.

17

Case # 17-138

Tong Hok Yat

1717 Thompson Street

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

Sec. 14-262 Request for inspection

Sec. 122-238 Dimensional requirements

Sec. 90-392 Application

Officer Jorge Lopez

Certified Service: 4-19-2017

Initial Hearing: 5-31-2017

Continuance granted to July 26, 2017.

Count 1: New structure located in the setback without the benefit of required mechanical, electrical and plumbing permits. **Count 2:** Electrical, mechanical and plumbing work conducted without requesting the required final inspections. **Count 3:** New structure is located within 25 feet from the neighbor's fence. **Count 4:** The new structure is located in the setbacks without the benefit of a variance.

The Special Magistrate granted the request to continue this case to July 26, 2017.

18

Case # 17-206

James Hammilton & Dwinell James

1019 Elgin Lane A

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

Sec. 14-40 Permits in historic districts

Officer Jorge Lopez

Certified Service: 4-19-2017

Initial Hearing: 5-31-2017

New Case

Count 1: Failure to obtain required permits and inspections for the 10-12 ft. fence. **Count 2:** Failure to obtain certificate of appropriateness.

The Respondents did not appear. Officer Lopez gave testimony stating as of today there has been no permits or HARC approval obtained. The city requests \$250 Administrative Costs and a fine of \$250 per day per count with 30 days to come into compliance. The Special Magistrate finds there is a violation. The Special Magistrate imposed the \$250 administrative costs and a daily fine of \$250 per count for compliance by June 27, 2017.

19

Case # 17-270

Victor & Cynthia A Mills

1200 White Street

Sec. 14-70 Minimum facilities

Sec. 90-363 Certificate of occupancy - Required

Officer Jorge Lopez

Certified Service:

Initial Hearing: 5-31-2017

In compliance May 4, 2017, request dismissal

Count 1: Failure to obtain all required permits to meet the minimum facilities for the structure located in the rear side of the property.

Count 2 : Failure to obtain a certificate of occupancy for a structure that is being used as a habitable space.

The Special Magistrate granted the request to dismiss this case.

20

Case # 17-389

Hard Rock Cafe International (K.W.) Inc.
Jay Walszcak (Officer/Director)
313 Duval Street
Sec. 62-1 Deposits of oil, grease or other waste
Officer Jorge Lopez
Certified Service: 3-27-2017
Certified Service: 5-24-2017 - amended notice
Initial Hearing: 4-26-2017

Settlement Agreement

Count 1: For allowing waste water to run down Rose Lane and onto Duval Street.

A settlement agreement was presented to the Special Magistrate which he approved. Costs of \$250 were imposed along with recovery of cost for the cleanup of the grease spill in the amount of \$724.96 and a fine of \$500 for a total of \$1,474.96.

21

Case # 17-461

Waterfront Brewery, LLC
Joseph Walsh - Registered Agent
201 William Street
Sec. 26-192 Unreasonably excessive noise prohibited
Sec. 14-40 Permits in historic districts
Sec. 90-142 Historic Architectural Commission Design Guidelines adopted
Officer Jorge Lopez
Certified Mail:
Initial Hearing: 5-31-2017

Request for continuance to June 28, 2017 for service

Count 1: Responding to this complaint, I conducted a site visit on May 12, 2017. I met with the complainant and she filled out an affidavit stating she suffers from disturbing noise within the boundaries of her property. **Count 2:** Failure to obtain the required certificate of appropriateness for the installation of speakers on the exterior of the building. **Count 3:** I observed and photographed carports located on the second floor of the building. Carports located in the historic districts and visible from city's right of way are prohibited.

The Special Magistrate granted the request to continue this case to June 28, 2017 for service.

22

Case # 17-520

Soap Stories Tampa Bay, Inc
Incorporating Services LTD - Registered Agent
404 Duval Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Jorge Lopez
Certified Service: 5-12-2017
Initial Hearing: 5-31-2017

In compliance May 26, 2017; request dismissal

Count 1: Failure to renew their business tax receipt which expired 30 September 2016.

The Special Magistrate granted the request to dismiss this case.

23

Case # 17-730

S.O.A.P. Del Dia, Inc.
George Riordan - Registered Agent
525 Duval Street
Sec. 26-192 Unreasonably excessive noise prohibited
Office Jorge Lopez
Certified Mail:
Initial Hearing: 5-31-2017

Settlement Agreement

Count 1: Responding to this complaint, I conducted a site visit at the subject property on May 11, 2017. Upon arrival I performed a sound reading obtaining 97.1 Decibels as the final source level. I spoke with the manager and I gave him a warning with 10 minutes to comply. After 10 minutes, I performed a second reading obtaining 95.1 Decibels as the final source level.

A settlement agreement was presented to the Special Magistrate which he approved. Costs of \$250 were imposed along with a suspended fine of \$250.

24

Case # 17-371

Karel Bublak
1020 18th Terrace
Sec. 110-259 Duty of private property owner
Officer Demi R Vazquez
Certified Service: 4-15-2017
Initial Hearing: 5-31-2017

In compliance April 21, 2017; request dismissal

Count 1: Gumbo Limbo tree is obstructing the city right of way.

The Special Magistrate granted the request to dismiss this case.

25

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**
Officer Kenneth JW Waite
Certified Service: 2-3-2017 - amended notice
Posted: March 30, 2017
Initial Hearing: 10-19-2016

Continuance granted to July 26, 2017

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.

The Special Magistrate granted the request to continue this case to July 26, 2017.

26

Case # 16-1620

Roxanne E Fleszar

Michel Appellis

723 Catherine Street

Sec. 18-601 License Required - **Counts 1 and 2**Sec. 122-1371 Transient living accommodations in residential dwellings; regulations D (9) - **Count 3 through 9**

Officer Kenneth JW Waite

Certified Service: 2-23-2017

Initial Hearing: 4-26-2017

Continuance granted to July 26, 2017

Count 1: The subject property was held out for 7 nights rental, 15 August 2017 - 22 August 2017 without the required transient rental business tax receipt. **Count 2:** The subject property is being held out/advertised for short term rental without the benefit of the required city, county and state licensing and does not have the required transient medallion or the required fire inspection. **Counts 3 through 9:** The subject property is being held out for transient rental for 7 nights, 15 August 2017 through 22 August 2017 for a total of \$4,130.00.

The Special Magistrate granted the request to continue this case to July 26, 2017.

27

Case # 16-1644

Ronald Baecker

1111 Watson Street A

Sec. 18-601 License required. - **Count 1**Sec. 122-1371 Transient living accommodations in residential dwellings; regulations - **Count 2, and Counts 3 - 9**

Officer Kenneth JW Waite

Certified Service: Verified 2-16-17 via email - Amended notice

Initial Hearing: 1-25-2016

Settlement Agreement

Count 1: For being held out/advertised on AIRBNB.com from 2 May 2017 through 9 May 2017 for a total of \$1,548.00 without the benefit a transient rental license. **Count 2:** The subject property is being rented transiently without the benefit of city, county and state license; transient medallion and fire inspection. **Counts 3 - 9:** For holding out for transient rental for 7 nights the dates of 2 May 2017 through 9 May 2017 for a total of \$1,548.00 without the benefit of a transient license.

A settlement agreement was presented to the Special Magistrate which he approved. Costs of \$250 were imposed along with a fine in the amount of \$250 for a total of \$500.

28

Case # 16-1686

Soap Stories Tampa Bay Inc. - Registered Agent

Incorporation Services LTD

617 Duval Street

Sec. 18-441 Required

Officer Kenneth JW Waite

Certified Service: 2-13-2017 - Amended notice

Initial Hearing: 2-15-2017

Settlement Agreement

Count 1: On 21 Dec 2016, officer observed a male employee of Soap Stories Tampa Bay Inc. d.b.a Era Ageless, who is not in possession of an off premise canvassing license, applying cosmetics to a female on the sidewalk directly in front of 617 Duval Street.

A settlement agreement was presented to the Special Magistrate which he approved. Costs of \$250 were imposed and no fines will be assessed.

29

Case # 17-275

Matthew N Boucher

3128 Riviera Drive

Sec. 18-601 License required - Repeat Violation

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

Officer Kenneth JW Waite

Certified Service: 3-1-2017

Initial Hearing: 4-26-2017

Rehearing**Repeat Violation**

Count 1: The subject property is being held out on VRBO.com for short term rental without the benefit of a transient rental license for 7 nights, 16 April 2017 through 23 April 2017. **Count 2:** The subject property is being held out/advertised for short term rental without the benefit of the required city, county and state licensing. The subject property does not have a transient medallion and has not obtained the required fire inspection. **Counts 3 through 9:** The subject property owner is holding out for transient rental for 7 nights, 16 April 2017 through 23 April 2017, for a total of \$3,710.00.

Mr. Boucher attended this hearing. The Special Magistrate disagreed about this hearing being a rehearing but agreed to allow it. Office Waite gave testimony stating he was able to receive a quote for rental for 7 nights. Ron Ramsingh on behalf of the City of Key West gave objection stating that under the rules of quasi-judicial procedure proceedings this should be a notice of appeal and he wanted this noted. Mr. Boucher stated he has never rented under 28 days. Ron Ramsingh stated he has numerous violations and has unpaid liens for this exact violation. The City would ask that this be considered a repeat violation. The Special Magistrate vacated previous Findings of Violation. He imposed a \$250 Administrative Fee and \$100 per night per count fine.

30

Case # 17-319

Frantisek Sipos

1703 Seminary Street

Sec. 18-601 License required - **Irreparable Violations Counts 1 - 28**

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

Officer Kenneth JW Waite

Certified Service: 3-9-2017

Initial Hearing: 5-31-17

In compliance April 18, 2017; request dismissal

Counts 1 - 28: For being held out for 13 separate rentals totaling 28 nights in which Mr. Sipos received \$3,796.00 without the benefit of a transient rental license. **Count 29:** The subject property is being rented transiently without the benefit of city, county, and state license; transient medallion and fire inspection.

The Special Magistrate granted the request to dismiss this case.

31

Case # 17-365

Michael J. Gehin

1119 Georgia Street 3

Sec. 18-601 License required - **Count 1**Sec. 122-1371 Transient living accommodations in residential dwellings; regulations - **Count 2**Sec. 122-1371 D (9) Transient living accommodations in residential dwellings; regulations - **Counts 3-9**

Officer Kenneth JW Waite

Certified Mail: 3-22-2017

Initial Hearing: 5-31-2017

In compliance April 12, 2017; request Finding of Violation without fees or fines

Count 1: For holding out/advertising for short term rental on VRBO.com for 7 nights on the dates of 18 June 2017 through 25 June 2017 without the benefit of a transient rental license. **Count 2:** For holding out/advertising for short term rental without the benefit of the required city, county, and state licensing; fire inspection and transient medallion. **Counts 3 - 9:** For holding out for transient rental for 7 nights the dates 18 June 2017 through 25 June 2017 for a total of \$1,475.50.

The Respondent did attend the hearing. A request was submitted for a finding of violation without fees or fines. The Special Magistrate approved the request.

32

Case # 17-483

Far Beauty LLC dba Collage Beauty

Aviv Shmuel - Registered Agent

Giselle Geller - Violator

211 Duval Street A

Sec. 18-441 Required - **Repeat Violation**

Officer Kenneth JW Waite

Hand Served: 4-12-2017 - Giselle Geller

Hand Served: 4-12-2017 - Aviv Shmuel

Initial Hearing: 5-31-2017

Continuance granted to June 28, 2017**Count 1:** Failure to hold a valid off-premises canvassing permit.

The Special Magistrate granted the request to continue this case to June 28, 2017.

33

Case # 17-495

AIRBNB, Inc. - Registered Agent
3333 Duck Avenue M103
Sec. 122-1371 Transient living accommodations in residential dwellings; regulations. D (9) - **Counts 1 - 7**
Officer Kenneth JW Waite
Certified Service: 4-17-2017
Initial Hearing: 5-31-2017

New Case

Counts 1 - 7: For holding out/advertising for short term rental on AIRBNB.com for 7 nights for the dates of 1 June 2017 through 8 June 2017 for a total of \$818.00 without the benefit of a transient rental license.

The Respondent did not appear. Officer Waite stated they were in compliance. The Special Magistrate granted the request for the Finding of Violation without fees or fines.

34

Case # 17-499

512 Angela LLC
NRAI Services, Inc. - Registered Agent
512 Angela Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Kenneth JW Waite
Certified Service: 4-19-2017
Initial Hearing: 5-31-2017

In compliance May 2, 2017; request Finding of Violation without fees or fines

Count 1: Failure to renew their business tax receipt which expired 30 September 2016.

A request was submitted for a finding of violation without fees or fines. The Special Magistrate approved the request.

35

Case # 17-500

516 Angela LLC
NRAI Services, Inc.
516 Angela Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Kenneth JW Waite
Certified Service: 4-19-2017
Initial Hearing: 5-31-2017

In compliance May 2, 2017; request Finding of Violation without fees or fines

Count 1: Failure to renew their business tax receipt which expired 30 September 2016.

A request was submitted for a finding of violation without fees or fines. The Special Magistrate approved the request.

36

Case # 17-537

Paula D. Demore
550 Porter Lane
Sec. 66-102 Dates due and delinquent; penalties - **Counts 1 and 2**
Officer Kenneth JW Waite
Certified Service: 5-4-2017
Initial Hearing: 5-31-2017

In compliance April 27, 2017; request Finding of Violation without fees or fines

Counts 1 and 2: Failure to renew their two business tax receipts which expired 30 September 2016.

The Special Magistrate granted the request for the Finding of Violation without fees or fines.

Mitigations

37

Case # 15-622

Edward's Healthcare & Diagnostic
Eduardo Garrido
3414 Duck Avenue #8

Ron Ramsingh asked if the Special Magistrate is in agreement with this mitigation as an add-on to the docket. The Special Magistrate agreed. Mr. Ramsingh gave testimony as this is a case of a closing on this foreclosure property. Mr. Ramsingh has been in contact with the bank's attorney, seller's attorney and buyer's attorney and all are in agreement. He ran this by management and they are in agreement as well to accept the \$5,000 mitigation. The City recommended to grant the request for continuance and reduce the fine to \$5,000. The Special Magistrate accepted the mitigation of \$5,000.

Adjournment