

CC: TO debbie 20110311



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

NOTICE OF ADMINISTRATIVE HEARING

Date: March 11, 2011
Re: Case Number 10-00001059

Certified Mail Receipt#: 7007 3020 0000 5346 8892

To: Matthew McDowell
13180 N Cleveland Avenue
Key West, FL 33040
Subject Address:
1333 20th St
Key West, FL 33040

~~Key West, FL 33040~~
N Ft Myers, Fl. 33903

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):

Violation Detail

CLEARING OF PROPERTY Sec. 26-126

Date Est: August 11, 2010 Location: 1333 20TH ST

You must clear the property of debris including litter, solid waste, high grass or weeds, etc which tend to be a breeding place or haven for snakes, rodents, insects, etc and create an unsightly nuisance. The palm frond piles under the carport including the discarded mattress and the palm frond piles in the backyard must be cleared from the property. In addition, your in ground pool is currently being treated for mosquito infestation by Mosquito Control. The pool must be maintained in such a way that mosquito infestation does not exist.

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:**

April 27, 2011

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.**

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only: No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
 - Print your name and address on the reverse so that we can return the card to you.
 - Attach this card to the back of the mailpiece, or on the front if space permits.
1. Article Addressed to: **NOH 10-1059**

Matthew McDowell
 13180 N Cleveland Avenue
 N Fort Myers, FL 33903

COMPLETE THIS SECTION ON DELIVERY

RECEIVED

3. Service Type: **REGISTERED MAIL**
 Certified Mail
 Registered Mail
 Return Receipt for Merchandise
 Registered Mail...
 Restricted Delivery? (Extra Fee) Yes

4. Restricted Delivery? (Extra Fee) Yes

5. Signature: **B. Brouse**
 Agent
 Addressee

6. Received by (Printed Name): **B. Brouse**
 Yes
 No

7. Date of Delivery: **3/11/11**

8. Is delivery address different from item 1? Yes
 No
 If YES, enter delivery address below:

2. Article Number (Transfer from service label) **7007 3020 0000 5346 8892**

PS Form 3811, February 2004 Domestic Return Receipt 102995-02-M-1540



THE CITY OF
Code Comp
 P.O. Box
 KEY WEST
 (305)

NOTICE OF ADMIN

Date: March 11, 2011
 Re: Case Number 10-00001059

Certified Mail Receipt#: 7007 3020 000

To:
 Matthew McDowell
 13180 N Cleveland Avenue
~~Key West, FL 33903~~
N Ft Myers, FL 33903

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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.



Barbara Meizis
Code Compliance Officer
City of Key West
bmeizis@keywestcity.com

Hand served this _____ *day of* _____, 2011 @ _____ *am/pm.*

Received by: _____ *Served By:* _____

VIOLATION DETAIL

PAGE 1

CASE NUMBER 10-00001059
PROPERTY ADDRESS 1333 20TH ST

VIOLATION: CLEARING OF PROPERTY QUANTITY: 1
DESCRIPTION: Sec. 26-126 DATE: 10/04/10
LOCATION: 1333 20TH ST

NARRATIVE :

You must clear the property of debris including litter, solid waste, high grass or weeds, etc which tend to be a breeding place or haven for snakes, rodents, insects, etc and create an unsightly nuisance.

ORDINANCE DESCRIPTION :

For the purposes of promoting the health, safety, and general welfare of the city residents, the city manager is authorized and empowered to require that vacant lands and/or improved property within the city be cleared of debris and any noxious material, including garbage, litter, rubbish, refuse, solid waste, trash or industrial waste or high grass or weeds which tend to:

- (1) Be a breeding place or haven for snakes, rodents, insects, and vermin;
- (2) Create a fire hazard or endanger the lives and property of the city residents;
- (3) Create a traffic hazard; or
- (4) Create a nuisance or other unsightly or unsanitary condition.

CORRECTIVE ACTION REQUIRED :

Property needs to be cleaned and maintained.