



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

February 18, 2013

**VIA CERTIFIED MAIL  
& ELECTRONIC MAIL**  
7007-3020-0000-5347-9539  
psjanker@yahoo.com

Peter Janker  
7688 Oak Field Ct  
Springfield, VA 22153-3506

Re: Lawful Unit Determination Update  
417 United Street - upstairs addition

Dear Mr. Janker,

Please disregard our request for the current lease in the unpermitted apartment upstairs. After conferring with our Legal Department, a current lease in an illegal structure is not considered in mitigating compliance time. As previously stated in prior correspondence, during the Code Hearing on January 30, 2013, Special Magistrate Jefferson Overby, asked the Planning Department to re-examine the six month timeframe given on a prior LUD denial. Therefore, the Planning Department is re-evaluating all LUD denials and amending the timeframe to remove the kitchen in the unpermitted apartment upstairs in its entirety from six months to 30 days from the date of this letter. You will need to obtain a permit from the Building Department for the removal of the kitchen, as this will require electrical and plumbing work. All electrical and plumbing connections will need to be capped and sealed. City staff will conduct a site visit once the kitchen has been removed.

Additionally, since the Lawful Unit Determination (LUD) letter dated December 28, 2012, did not contain verbiage regarding your appeal rights, the date of this LUD update letter will serve as the final date of determination. Anyone who may wish to appeal an administrative decision may do so in accordance with Section 90-431 of the Land Development Regulations.

Please do not hesitate to contact me at 809-3722 with any questions or comments that you may have.

Respectfully,

A handwritten signature in blue ink, appearing to read "Carlene Smith", is written over a faint, illegible typed name.

Carlene Smith  
Development Review Administrator

cc: Donald Leland Craig, AICP, Planning Director  
John Woodson, Building Official  
Larry Erskine, Chief Assistant City Attorney  
Ron Ramsingh, Assistant City Attorney  
Carolyn Walker, Licensing Official  
Jim Young, Code Compliance Manager  
Bonita Badgett, Code Officer