



THE CITY OF KEY WEST

Code Compliance Division

P.O. BOX 1409
KEY WEST, FL 33041
(305) 809-3740

NOTICE OF ADMINISTRATIVE HEARING

Date: May 26, 2011

Re: Case Number 11-00000149

Certified Mail Receipt#: 7007 3020 0000 5345 9531

To:	Subject Address:
Arthur Sawyer Post No 28	5610 College Rd
Am Legion Dept Of Fl 5610 College Road	Key West, Fl 33040
Key West Fl 33040	
Certified Mail Receipt#:	7007 3020 0000 5345 9975

To:	Subject Address:
Gary Decker, R/A	5610 College Rd
Am Legion Arthur Sawyer Pos#28 26 Riviera Dr	Key West, Fl 33040
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):

Violation Detail

RECREATIONAL VEHICLE DESIGNATED PARKING Sec. 70-463

Date Est: January 31, 2011 Location: 5610 COLLEGE RD

Off-street parking of recreational vehicles shall be confined to those areas which are allowed by Code to accommodate such parking and to specific parking areas designated and established by the city manager to accommodate the parking needs of recreational vehicles within the city.

PUBLIC & SEMIPUBLIC DISTRICT Sec. 122-1019

Date Est: January 31, 2011 Location: 5610 COLLEGE RD

An RV park is not a use permitted nor is it a conditional use permitted in the Public and Semipublic Services District.

CONSERV DIST USES PROHIBITED Sec. 122-130

Date Est: January 31, 2011 Location: 5610 COLLEGE RD

An RV park is not specifically or provisionally provided for in this division and is therefore prohibited in the conservation district.

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:**

June 29, 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.**

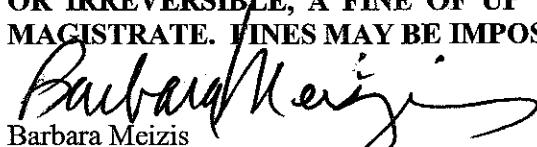
You have a right to have an attorney present at the hearing. If an attorney represents you, your attorney must file written notice with this office prior to the hearing date.

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

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

Received by: _____ *Served By:* _____

CASE NUMBER 11-00000149
 PROPERTY ADDRESS 5610 COLLEGE RD

VIOLATION: RV designated parking QUANTITY: 1
 DESCRIPTION: Sec. 70-463 DATE: 3/29/11
 LOCATION: 5610 COLLEGE RD

NARRATIVE :

Off-street parking of recreational vehicles shall be confined to those areas which are allowed by Code to accommodate such parking and to specific parking areas designated and established by the city manager to accommodate the parking needs of recreational vehicles within the city.

ORDINANCE DESCRIPTION :

Sec. 70-463 - Use of designated area required. Off-street parking of recreational vehicles shall be confined to those areas which are allowed by this Code to accommodate such parking and to specific parking areas designated and established by the city manager to accommodate the parking needs of recreational vehicles within the city. No overnight parking shall be permitted in any public parking area designated by the city manager pursuant to this article.
 (Code 1986, § 63.192)

CORRECTIVE ACTION REQUIRED :

Parking of recreational vehicles shall be in a licensed trailer park.

VIOLATION: Public & Semipublic distr QUANTITY: 1
 DESCRIPTION: Sec. 122-1019 DATE: 3/29/11
 LOCATION: 5610 COLLEGE RD

NARRATIVE :

An RV park is not a use permitted nor is it a conditional use permitted in the Public and Semipublic Services District. The RV's must be removed.

ORDINANCE DESCRIPTION :

Sec. 122-1019 - Prohibited Uses. In the public and semipublic services district (PS), all uses not specifically or provisionally provided for in this division are prohibited.
 (Ord. No. 97-10, § 1(2-5.6(D)), 7-3-1997)

CORRECTIVE ACTION REQUIRED :

Cease activity or business.

VIOLATION: Conserv Dist uses prohibi QUANTITY: 1
 DESCRIPTION: Sec. 122-130 DATE: 3/29/11
 LOCATION: 5610 COLLEGE RD

NARRATIVE :

CASE NUMBER 11-00000149
PROPERTY ADDRESS 5610 COLLEGE RD

NARRATIVE :

An RV park is not specifically or provisionally provided for in this division and is therefore prohibited in the conservation district.

ORDINANCE DESCRIPTION :

Sec. 122-130 - Prohibited uses.
All uses not specifically or provisionally provided for in this division are prohibited in the conservation district.
(Ord. No. 97-10, 1(2-5.1(E)), 7-3-1997)

CORRECTIVE ACTION REQUIRED :

Cease activity or business.