

POINCIANA PARK PARTNERS LLP
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June 22, 2019

Honorable Mayor and City Commissioners
City of Key West
1300 White Street
Key West, Florida 33040

send by U.S. Mail and e-mail

CITY OF KEY WEST

JUL 02 2019

CITY ATTORNEY

Dear Sir(s)/ Madam(s)

Code Violation 17-1293 (in Compliance)
Petition to Waive Code Enforcement Fine and Lien on Poinciana Park Property

Poinciana Park Partners LLP (PPP), the Owners of the Poinciana Mobile Home Park respectfully request to waive a lien of \$82,250-00 placed by the City of Key West on our property at the upcoming City Commission meeting July 2, 2019.

Our rationales and history of events are as follows:

- 1) PPP owns the land only known as the Poinciana Mobile Home Park 1300 15 Court, Key West, Florida.
- 2) PPP is regulated under Florida Statutes 723 and is renting Mobile Home Lots to the individual owner(s) of Mobile Homes
- 3) PPP does not legally own any Mobile Homes in the Park.
- 4) On July 5, 2017, our Park Management called the City of Key West Code Enforcement Division after the Park Manager observed construction activity on the Porch of the Mobile Home located at Lot 11 in the Park. The Porch is part of the Mobile Home. Subsequently, Code Enforcement issued a Code Violation Notice to the Owner of the Mobile Home for performing Construction without a Permit.
- 5) On February 28, 2018, the City of Key West Code Enforcement Division ordered to impose a lien on the property of the PPP after the Mobile Home Owner Lot 11 failed to come in compliance with the Code Violation.
- 6) On March 2, 2018, PPP send a 2nd violation notice to the Mobile Home Owner to come in compliance failing which an eviction will be conducted to vacate the Mobile Home Park for violating the City Code.
- 7) On April 5, 2018, Stanley Shaw Construction was hired by the Mobile Home Owner Lot 11 to perform the necessary work to come in compliance with the Code Violation.
- 8) On December 19th. 2018 the law firm Albert Kelley notified the Mobile Home Owner that eviction will be proceed as a result of noncompliance.
- 9) On January 24, 2019, PPP was notified by the Code Enforcement Division that the Mobile Home Owner was in compliance.

10) PPP had no control on the time frame it took the contractor to finish the work to come in compliance.

In view of the above, it is our position that PPP should not be held responsible for any fines and the lien of \$82,250-00. We respectfully seeking your kind consideration to waive the abovementioned.

We would like to reiterate the Florida Statutes 723.024 as follows:

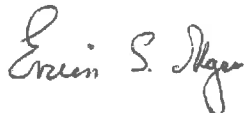
COMPLIANCE BY MOBILE HOME PARK OWNERS AND MOBILE HOME HOWNERS:

(1) If a unit of a local government finds that a violation of local code or ordinance has occurred, the unit of local government shall cite the responsible party for the violation and enforce the citation under its local code and ordinance enforcement authority.

(2) A lien, penalty, fine, or other administrative or civil proceeding may not be brought against a MOBILE HOME PARK OWNER OR MOBILE HOME PARK PROPERTY for any duty or responsibility of the MOBILE HOME OWNER.

Thank you for your time to consider our petition.

Yours Truly



Poinciana Park Partners LLP

CC

1) Honorable Mayor- Terry Johnston

2) Honorable Commissioners

- Jimmy Weekley, Billy Wardlow, Gregory Davila,

- Mary Lou Hoover, Clayton Lopez, Samuel Kaufman