



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Code Compliance Hearing

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Wednesday, April 25, 2018

1:30 PM

City Hall

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**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 # 17-447**

Lime Grove Properties, LLC

2907 Seidenberg Avenue

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

Sec. 90-363 Certificate of occupancy - required

Sec. 58-61 Determination and levy of charge

Sec. 14-325 Permits required

Sec. 14-262 Request for inspection

Officer Sophia Doctoche

Certified Service: 9-6-2017

Initial Hearing: 10-18-2017

**Continuance granted to 27 Jun 2018**

**Count 1:** For failure to obtain building permits to convert the single family residence into two units and for failure to obtain building permits to convert the pool house into a livable unit. **Count 2:** For failure to obtain a certificate of occupancy for the two extra units. **Count 3:** For failure to pay solid waste charges on the two extra units. **Count 4:** For failure to obtain a permit for refrigeration for the two extra units. **Count 5:** For failure to obtain the required inspections for the refrigeration of the two extra units.

The request to continue this case to 27 Jun 2018 was previously granted by the Special Magistrate.

2

**Case # 17-1391**

Steven E Ness

1319 United Street 1

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

**- Request dismissal**Sec. 26-32 Nuisances illustrated - **Request dismissal**Sec. 26-31 Offensive and nuisance conditions prohibited - **Request dismissal**Sec. 62-2 Obstructions - **Request dismissal**

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

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business

Sec. 90-363 Certificate of occupancy - required

Sec. 58-61 Determination and levy of charge

Officer Sophia Doctoche

Certified Service: 2-28-2018

Initial Hearing: 3-28-2018

**Continuance granted to 30 May 2018**

~~Count 1: For failure to clear the property of all unsightly or unsanitary conditions. Count 2: For leaving dirty bowls/plates out on the right of way for the chickens that cause a foul odor in the neighborhood. Count 3: For failure to clean the property of all food, containers and debris left outside. Count 4: For obstructing the right of way with bowls, plates, pots and pans to use for feeding the chickens. Count 5: For failure to obtain a building permit for the third unit. Count 6: For failure to obtain a business tax receipt to rent the third unit. Count 7: For failure to obtain a certificate of occupancy for the third unit. Count 8: For failure to obtain utility accounts for the third unit.~~

The request to dismiss counts 1, 2, 3 and 4 was granted. The request to continue this case to 30 May 2018 was previously granted by the Special Magistrate.

3

**Case # 17-1667**

Marcia Stefanacci

1019 Watson Street

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

Sec. 14-40 Permits in historic districts

Sec. 66-87 Business tax receipt required for all holding themselves out to  
be engaged in business

Sec. 90-363 Certificate of occupancy - required

Sec. 58-61 Determination and levy of charge

Officer Sophia Doctoche

Certified Service:

Initial Hearing: 4-25-2018

**Request continuance to 30 May 2018 for service**

**Count 1:** For failure to obtain permits for the new gate, repairs to the steps, new decking and cottage. **Count 2:** For failure to obtain a certificate of appropriateness for the new gate, repairs to the steps, new decking and cottage. **Count 3:** For failure to obtain a business tax receipt to rent your property. **Count 4:** For failure to obtain a certificate of occupancy for the rear cottage. **Count 5:** The property has two units, the City only recognizes one unit.

The request to continue this case to 30 May 2018 for service was granted by the Special Magistrate.

4

**Case # 18-341**

Ocean Energy Charters

Mikhael Blumin

951 Caroline Street

Sec. 66-102 Dates due and delinquent; penalties

Officer Sophia Doctoche

Certified Service: 3-26-2018

Initial Hearing: 4-25-2018

**In compliance 11 Apr 2018, request dismissal**

**Count 1:** For failure to renew the business tax receipt for Ocean Energy Charters, control number 22859.

The request to dismiss this case was granted by the Special Magistrate. Compliance was obtained on 11 Apr 2018.

5

**Case # 16-1707**

Terence Schmida  
Joanna M Schmida Rev Trust DTD  
Walter G Schmida Rev Trust DTD  
3301 Duck Avenue C  
FBC 1612.4 Flood Hazard Construction  
Sec. 90-356 Building Permit Required  
Sec. 90-363 Certificate of Occupancy  
FBC 1612.4 Flood Hazard Construction  
Officer Scott Fraser  
Certified Service: 8-17-2017 - W. Schmida  
Initial Hearing: 8-30-2017

**Continued from 28 Feb 2018 for compliance**

**Count 1:** Within FEMA designated AE-7 flood zone, interior space at ground level has been enclosed and said areas are actively being used for purposes other than the permitted uses for storage, parking or access to higher building levels. **Count 2:** Construct or allow to be constructed without the required building permits enclosed ground-floor areas for habitation. **Count 3:** Allowed occupancy of enclosed areas below the established flood level- constituting an unauthorized change of use from parking and storage to habitation; said enclosed areas not having been issued a certificate of occupancy, as required. **Count 5:** Construct or allow to be constructed an enclosed area below the established floor level without benefit of the required permits a patio area at the rear of this building. **Count 4 was dismissed.**

**Brett Tyler Smith, The Smith Law Firm, attended the hearing. Mr. Ramsingh stated that they had oral arguments on the Circuit Court appeal and expect a decision from Judge Koenig within the next three days and requested a continuance for 30 days. Mr. Smith agreed. The Special Magistrate continued this case to 30 May 2018.**

6

**Case # 14-623**

Wilbur Wright 725 LLC

Peter Williams

1724 Bahama Drive

Sec. 90-363 Certificate of occupancy - required

Sec. 58-61 Determination and levy of charge - dismissed

Officer Leonardo Hernandez

Certified Service:

Initial Hearing: 3-28-2018

**In compliance 5 Apr 2018, request dismissal**

**Count 1:** For failure to obtain a certificate of occupancy for the additional unit. ~~**Count 2:** For failure to pay the impact fees for the additional unit.~~

The request to dismiss this case was granted by the Special Magistrate.  
Compliance was obtained on 5 Apr 2018.

7

**Case # 16-1414**

Stafford Family Trust

724 Olivia Street

Sec. 90-363 Certificate of occupancy - required

Sec. 90-356 Building permits required

Sec. 58-61 Determination and levy of charge

Officer Leonardo Hernandez

Certified Service: 8-24-2017

Initial Hearing: 9-27-2017

**Continuance granted to 25 Jul 2018**

**Count 1:** For failure to obtain a certificate of occupancy for the second unit. **Count 2:** For failure to obtain building permits to convert the second floor into another unit, adding a kitchen and converting the attic into a bedroom. **Count 3:** For failure to pay for the solid waste charges for the second unit.

The request to continue this case to 25 Jul 2018 was previously granted by the Special Magistrate.

8

**Case # 17-1239**

Healing Source Massage Therapy  
Shang Feng Hao  
817 Simonton Street  
Sec. 14-40 Permits in historic districts  
Officer Leonardo Hernandez  
Certified Service: 4-10-2018  
Initial Hearing: 4-25-2018

**Continuance granted to 30 May 2018**

**Count 1:** For failure to obtain a certificate of appropriateness for the signs

**The request to continue this case to 30 May 2018 was previously granted by the Special Magistrate.**

9

**Case # 18-30**

Lee F & Melaine Bennett  
2811 Staples Avenue  
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions  
FBC P2503.1 Inspections  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Sec. 90-363 Certificate of occupancy - required  
Sec. 58-61 Determination and levy of charge  
Officer Leonardo Hernandez  
Certified Service: 2-2-2018  
Initial Hearing: 3-28-2018

**Continued from 28 Mar 2018 for compliance**

**Count 1:** For failure to obtain building permits for the kitchen, storage room, wall siding and ceiling work that was done. **Count 2:** For failure to obtain inspections for plumbing work. **Count 3:** For failure to obtain a business tax receipt to rent. **Count 4:** For failure to obtain a certificate of occupancy for the second unit. **Count 5:** For failure to obtain utility accounts for the second unit.

**Officer Hernandez stated that the property is not in compliance. The Special Magistrate imposed the fines announced at the hearing on 28 Mar 2018.**

10

**Case # 18-69**

Lam Fong Yin &amp;

Tong Yat Hok

2108 Harris Avenue

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

Sec. 14-261 Failure to obtain

Sec. 14-262 Request for inspection

Officer Leonardo Hernandez

Posted: 4-10-2018

Initial Hearing: 4-25-2018

**New Case**

**Count 1:** For failure to obtain building permits for the interior work involving dry wall, ceiling and exterior porch roof coverage. **Count 2:** An electrical permit was obtained but the work performed was not done by that electrical contractor. **Count 3:** For failure to obtain required electrical inspections.

Yin Fong Lam attended the hearing with an interpreter. Officer Hernandez submitted exhibits and gave testimony. Ms. Lam thought she could do the work because she was the homeowner. Ms. Lam went into apply for the permit but Mr. Hernandez walked out and stopped it from being issued. Ms. Lam stated that she hired an electrician to pull the permit but it hasn't been issued and she doesn't know why. Officer Hernandez stated that permits for the renovations has been submitted and also for the electrical permit but it is incomplete. The Special Magistrate found Yin Fong Lam in violation. Costs of \$250 were imposed. Also imposed was a fine of \$250 per day, per count if compliance is not obtained by 26 June 2018. A compliance hearing will be held on 27 Jun 2018.



11

**Case # 18-253**

Erwin & Didier Mayer - property owner  
Harry Aure / Margarete Orelus - mobile home owner  
1300 15th Court 60  
Sec. 14-37 Building permits; professional plans; display of permits;  
exceptions; address  
Officer Leonardo Hernandez  
Certified Service: 3-20-18 - property owner  
Certified Service: 3-26-18 - mobile home owner  
Initial Hearing: 4-25-2018

**In compliance 23 Mar 2018, request dismissal**

**Count 1:** For failure to remove the unpermitted structure.

The request to dismiss this case was granted by the Special Magistrate.  
Compliance was obtained on 23 Mar 2018.

12

**Case # 16-773**

Mark R Delgado Estate  
2807 Seidenberg Avenue  
Sec. 90-363 Certificate of occupancy - Required  
Sec. 58-61 Determination and levy of charge  
Sec. 66-87 Business tax receipt required for all holding themselves out to  
be engaged in business  
Officer Beau Langford  
Posted: 8-10-2017  
Initial Hearing: 8-30-2017

**Continuance granted to 30 May 2018**

**Count 1:** Failure to obtain a Certificate of Occupancy for residential unit  
in the rear of the property. **Count 2:** Failure to have Utilities associated  
with the residential unit in the rear of the property. **Count 3:** Failure to  
have a non-transient business tax receipt for the residential unit in the  
rear of the property.

The request to continue this case to 30 May 2018 was previously granted by the  
Special Magistrate.

13

**Case # 16-1570**

Robert Reilly

Nicola Roques

1535 5th Street

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptionsFBC 1612.4 Flood Hazard Construction & ASCE 24-05 Unprotected  
Enclosed Below Design Flood Elevation

Sec. 122-238 Dimensional requirements. Paragraph 6, Section a.

Single-family

Officer Beau Langford

Certified Service: 10-16-2017

Initial Hearing: 11-15-2017

**Continuance granted to 30 May 2018**

**Count 1:** Construction of a new one room structure and roof structural changes to the original house have been made without the benefit of required permits. **Count 2:** Did install, or installing or allowed to be installed, an inhabitable structure within a FEMA designated AE-8 flood zone, below the minimum required elevation deemed necessary for flood damage prevention. **Count 3:** One room structure is currently being built within the rear setback of the property and possibly on top of a 10' utility easement.

**The request to continue this case to 30 May 2018 was previously granted by the Special Magistrate.**

14

**Case # 17-1283**

Ted J McByrnett Estate

Joseph Krygier

1007 Thomas Street

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

Officer Gerald Leggett

Posted: 3-29-2018

Initial Hearing: 2-28-2018

**Continued from 28 Mar 2018**

**Count 1:** For failure to remove debris, garbage and rubbish from the property that have been determined to be a fire hazard.

Joseph Krygier attended the hearing. Officer Leggett gave testimony. Mr. Krygier is known as a resident. The City has not had contact with any respondent of the estate. As of today, the property is not in compliance. Mr. Krygier stated that he is an heir of the property and is obtaining affidavits from all that are executors of the will, that have no interest in the property, so he can become the executor of the will. Has two and is waiting for the third. The Special Magistrate asked if probate has been opened yet. Mr. Krygier stated no and was unable to remember the name of the attorney that is helping him. The Special Magistrate asked if he has removed the debris. Mr. Krygier said he has worked on the property but there is still a lot of brush that needs to be removed. The Special Magistrate found this case to be in violation. Costs of \$250 were imposed. Also imposed was a fine of \$250 per day if compliance is not obtained by May 29, 2018. A compliance hearing will be held on May 30, 2018.

15

**Case # 18-60**

Nancy Cruz - Count 1

Yosbany Rodriguez - Counts 1, 2 and 3

1223 3rd Street

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

Sec. 58-34 Unlawful disposal - **request dismissal**

Sec. 18-150 Certificate of competency required

Officer Gerald Leggett

Certified Service: 3-13-2018 - Cruz

Initial Hearing: 4-25-2018

**Continuance granted to 30 May 2018****Count 1:** For failure to obtain a building permit to enclose the rear porch.**Count 2:** For failure to remove construction debris and concrete block from the right of way. **Count 3:** For failure to have a certificate of competency to perform construction related work.

The request to continue this case to 30 May 2018 was previously granted by the Special Magistrate.

16

**Case # 18-198**

John Todd Manuel

2022 Seidenberg Avenue

Sec. 66-103 Transfer of license

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

Sec. 90-363 Certificate of occupancy - required

Sec. 58-61 Determination and levy of charge

Officer Gerald Leggett

Certified Service: 3-10-2018

Initial Hearing: 4-25-2018

**Continuance granted to 30 May 2018****Count 1:** For failure to transfer the non-transient rental license from the previous owners. **Count 2:** For failure to obtain building permits for the plumbing and electrical work that has been performed. **Count 3:** For failure to obtain a certificate of occupancy for the detached rear unit.**Count 4:** The property has two units, the City only recognizes one unit.

The request to continue this case to 30 May 2018 was previously granted by the Special Magistrate.

17

**Case # 18-357**

Bob Sunderman  
922 Catherine Street  
Sec. 110-292 Failure to achieve a compliance agreement  
Officer Gerald Leggett  
Certified Service:  
Initial Hearing: 4-25-2018

**Request continuance to 30 May 2018 for service**

**Count 1:** For failure to come into compliance with the signed settlement agreement for violations Sec. 110-256 and 110-321. The payment of \$500 and the planting on one coconut palm 8' tall has not been met.

**The request to continue this case to 30 May 2018 for service was granted by the Special Magistrate.**

18

**Case # 16-335**

Eleanor J Miller-Laino  
3735 Cindy Avenue  
Sec. 90-363 Certificate of occupancy - Required  
Sec. 58-61 Determination and levy of charge  
Sec. 122-238 Dimensional requirements  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Jorge Lopez  
Certified Service: 7-17-2017  
Initial Hearing: 8-30-2017

**Continuance granted to 27 Jun 2018**

**Count 1:** Failure to obtain a certificate of occupancy. **Count 2:** Failure to pay impact fees related to utilities. **Count 3:** This unit/structure is located in the rear side of the subject property in the setback. **Count 4:** Renovations including plumbing and electrical work done without the benefit of building permits.

**The request to continue this case to 27 Jun 2018 was previously granted by the Special Magistrate.**

19

**Case # 17-1146**

Jordan James &amp; Sara Key

1309 Newton Street

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

Certified Service: 3-26-2018

Initial Hearing: 4-25-2018

**New Case****Request for continuance denied**

**Count 1:** For failure to obtain a mechanical permit to install the A/C condenser on the roof. **Count 2:** For failure to obtain HARC approval for installation of the A/C condenser on the roof. **Count 3:** For failure to obtain an inspection for the A/C condenser.

**John Marston attended the hearing representing James Jordon. Officer Lopez gave testimony. Mr. Marston stated that the property was sold without the new owners knowing about the violation. He is looking for a contractor that has not already declined to do the work. The Special Magistrate found James Jordon and Sara Key in violation. Costs of \$250 were imposed. Also imposed was a fine of \$250 per day, per count if compliance is not obtained by June 26, 2018. A compliance hearing will be held on June 27, 2018.**

20

**Case # 17-1213**

Erwin Mayer &amp; Didier R Moritz - property owner

1300 15th Court Lot 77

Sec. 90-363 Certificate of Occupancy - required

Sec. 58-61 Determination and levy of charge

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

Officer Jorge Lopez

Certified Service: 11-16-2017 - property owner

Initial Hearing: 12-20-2017

**Continued from 28 Mar 2018 for compliance**

**Count 1:** For failure to obtain a certificate of occupancy for the addition that was built. **Count 2:** For failure to pay impact fees related to utilities.

**Count 3:** For failure to obtain building permits for the addition to the trailer and for the installed plumbing.

Erwin Mayer attended the hearing. Officer Lopez stated that the property owner obtained a permit on April 10 for the demolition, it has not been done yet. Mr. Ramsingh stated that he spoke to Mr. Mayer prior to the hearing and that the City does not object to his continuance request. We do have a Findings and Order in place which satisfies the City's interest from a safety perspective. He is having issues with the tenants with them getting their stuff out. He spoke to the tenant's attorney, Margaret Baldwin, there seems to be a dispute between the tenants and the mobile home owner. Mr. Mayer stated that that was incorrect. He is not the mobile home owner, he owns the land. He stated that the owners of the mobile home converted a store room into living quarters. He offered to pay for the demolition because they have no money, but in order to do that, it is their property, not mine, he cannot tear down the structure without a consent agreement, they will not sign it. The only option is to go to court and evict them which will include the mobile home. The Special Magistrate continued this case to 30 May 2018.

21

**Case # 17-1624**

Jean Ocean & Marie Noel  
1213 14th Street Lot 204  
Sec. 14-37 Building permits; professional plans; display of permits;  
exceptions; address  
Sec. 90-363 Certificate of occupancy - required  
Officer Jorge Lopez  
Certified Service: 3-1-2018  
Initial Hearing: 3-28-2018

**In compliance 16 Apr 2018, request dismissal**

**Count 1:** For failure to obtain a building permit prior to enclosing the porch. **Count 2:** For failure to obtain a certificate of occupancy for the additional room.

The request to dismiss this case was granted by the Special Magistrate.  
Compliance was obtained on 16 Apr 2018.

22

**Case # 18-113**

Richard Dostal  
210 Truman Avenue  
Sec. 26-126 Clearing of property of debris and noxious material required  
Sec. 62-2 Obstructions - dismissed  
Officer Jorge Lopez  
Certified Service: 2-9-2018  
Initial Hearing: 2-28-2018

**Continued from 28 Mar 2018 for compliance**

**Count 1:** For failure to maintain the property. The yard is overgrown and there is bulk waste in the rear side of the property. ~~Count 2: The fence that was blown down is obstructing the sidewalk and the safe passage of pedestrians.~~

Richard Dostal attended the hearing. Officer Lopez stated that work has been done but the property is not in compliance. Mr. Ramsingh stated that the City would not object to a 30-day continuance. Mr. Dostal stated that he has to work on closing a real estate deal in order to get the funding that he needs to hire people and obtain a dumpster. The Special Magistrate continued this case. along with case # 18-124 to 30 May 2018.



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**Case # 18-124**

Richard &amp; Kelly S Dostal, Estate

208 Truman Avenue

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

Officer Jorge Lopez

Certified Service: 2-9-2018

Initial Hearing: 2-28-2018

**Continued from 28 Mar 2018 for compliance**

**Count 1:** For failure to maintain the property. It is overgrown and there are piles of yard debris and bulk waste. This property has previously been cited for the same conditions (Cases 15-918 and 16-1410).

See Item 22, Case # 18-113.

24

**Case # 18-125**

Edward &amp; Gwen Keenan

1021 Watson Street

Sec. 26-32 Nuisance illustrated

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

Officer Jorge Lopez

Certified Service:

Initial Hearing: 4-25-2018

**Continuance granted to 30 May 2018**

**Count 1:** For failure to clean the pool to avoid a breeding ground for mosquitoes. **Count 2:** For failure to remove the debris from the yard.

The request to continue this case to 30 May 2018 was previously granted by the Special Magistrate.

25

**Case # 17-710**

AIRBNB, Inc.

Lawyers Incorporating Services 2710

3333 Duck Avenue J204

Sec. 122-1371 D (9) Transient living accommodations in residential dwellings; regulations - Counts 1 thru 7

Officer Kenneth JW Waite

Certified Service: 5-16-2017

Initial Hearing: 7-26-2017

**Continuance granted to 27 Jul 2018**

**Counts 1 - 7:** During a routine investigation of the online website [www.airbnb.com](http://www.airbnb.com), the subject property was held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 1 June 2017 through 8 June 2017.

The request to continue this case to 27 Jun 2018 was previously granted by the Special Magistrate. There is a Scribner's error showing Jul instead of Jun on the agenda.

26

**Case # 17-724**

AIRBNB, Inc.

Lawyers Incorporating Services 2710

620 Thomas Street 165

Sec. 122-1371 Transient living accommodations in residential dwellings; regulations. D (9) - Counts 1 thru 7

Officer Kenneth JW Waite

Certified Service: 5-16-2017

Initial Hearing: 7-26-2017

**Continuance granted to 27 Jul 2018**

**Counts 1 - 7:** During routine investigation of the online website [www.airbnb.com](http://www.airbnb.com), the subject property held out for short term rental without benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 11 June 2017 through 18 June 2017.

See item # 25, Case # 17-710.

27

**Case # 17-745**

AIRBNB, Inc.

Lawyers Incorporating Services 2710

714 Thomas Street

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations. D (9) - Counts 1 thru 7

Officer Kenneth JW Waite

Certified Service: 5-22-2017

Initial Hearing: 7-26-2017

**Continuance granted to 27 Jul 2018**

**Counts 1-7:** During a routine investigation of the online website [www.airbnb.com](http://www.airbnb.com), the subject property held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 1 July 2017 through 8 July 2017 for a total of \$1,638.00.

**See item # 25, Case # 17-710.**

28

**Case # 17-746**

AIRBNB, Inc. - Registered Agent

Brian Chesky - CP

Lawyers Incorporating Services 2710

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations (d) (9) - Counts 1 thru 4Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations (d) (9) - Count 5

1207 Florida Street

Officer Kenneth JW Waite

Certified Service: 5-22-2017

Certified Service: 1-5-2018 - Amended Notice of Hearing

Initial Hearing: 7-26-2017

**Continuance granted to 27 Jul 2018**

**AIRBNB, Inc.: Counts 1-4:** During a routine investigation of the online website [www.airbnb.com](http://www.airbnb.com), the subject property held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 4 nights for the dates of 1 July 2017 through 5 July 2017 for a total of \$551.00. **Count 5:** For unlawful holding out or advertising of a transient rental by an owner, tenant, broker, realtor, agent or other representative of the owner if the property is not permitted.

See item # 25, Case # 17-710.

29

**Case # 17-751**

AIRBNB, Inc.

Lawyers Incorporating Services 2710

3312 Northside Drive 106

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations. D (9) - Counts 1 thru 7

Officer Kenneth JW Waite

Certified Service: 5-22-2017

Initial Hearing: 7-26-2017

**Continuance granted to 27 Jul 2018**

**Counts 1-7:** During a routine investigation of the online website www.airbnb.com, the subject property held out for short term rental without the benefit of a transient rental license. The subject property was advertised for 7 nights for the dates of 1 June 2017 through 8 June 2017 for a total of \$808.00.

See item # 25, Case # 17-710.

30

**Case # 17-866**

AIRBNB, Inc

Lawyers Inc Service - Registered Agent

721 Georgia Street A

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations. D (9)

Officer Kenneth JW Waite

Certified Service: 11-15-2017 Amended Notice

Initial Hearing: 7-26-2017

**Continuance granted to 27 Jul 2018**

**Counts 1-7:** The subject property was held out/advertised by the respondent for transient rental for 7 nights the dates of 19 June 2017 through 26 June 2017 for a total of \$834.00

See item # 25, Case # 17-710.

31

**Case # 18-352**

Feruz Yuldashev  
202 Duval Street  
Sec. 42-6 Tattoo establishments; temporary tattoos  
Officer Kenneth JW Waite  
Hand Served: 3-15-2018  
Initial Hearing: 4-25-2018

**Settlement Agreement**

**Count 1:** For failure to have the warning sign posted.

The Special Magistrate was presented with a Settlement Agreement which he approved. Costs of \$250 were imposed. Also imposed was a suspended fine of \$250.

32

**Case # 18-427**

Ellen G Cantrell  
1317 Reynolds Street  
Sec. 18-601 License required - Counts 1 through 5  
Sec. 122-1371 Transient living accommodations in residential dwellings; regulations - Count 6  
Sec. 122-1371 Transient living accommodations in residential dwellings; regulations D(9) - Count 7  
Officer Kenneth JW Waite  
Hand Served: 3-29-2018  
Initial Hearing: 4-25-2018

**Settlement Agreement**

**Counts 1 - 5:** For renting the property transiently for five nights from 25 March 2018 through 30 March 2018 for a total of \$2,010 without the required license. **Count 6:** The subject property owner is holding out/advertising 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 been inspected by the City of Key West Fire Department. **Count 7:** The subject property owner advertised the home on VRBO.com for transient rental for 5 nights the dates of 25 March 2018 through 30 March 2018 for a total of \$2,010.

The Special Magistrate was presented with a Settlement Agreement. Costs of \$250 were imposed. Also imposed was a fine of \$1,510 which represents the net amount realized to Respondent. The Respondent also stipulates to a suspended fine in the amount of \$5,000.

**Adjournment**