



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Code Compliance Hearing

Thursday, October 20, 2022

1:30 PM

City Hall

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.

You may also attend these meetings virtually via Zoom by telephoning +1 646 558 8656 Meeting ID: 878 6349 3086 Passcode: 654080 or Online at: <https://cityofkeywest-fl-gov.zoom.us/j/87863493086?pwd=QWFwNkc2U3pHV3V4dTJKZkdXcEM4dz09> Meeting ID: 878 6349 3086 Passcode: 654080

Call Meeting to Order

Code Violations

1

Case # 20-524

Gregory G Farrelly- Registered Agent

828 Windsor Lane

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

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 Jim Young

Certified Mail: 6-30-2021

Initial Hearing: 6-24-2021

Continued from 28 July 2022

Count 1: Failure to submit as built certifications to the City of Key West.

Count 2: Failure to apply and obtain an LUD with the City of Key West Planning Department.

Count 3: Failure to apply and obtain a non-transient license from the

City of Key West Licensing Department.

Director Jim Young was the Code Officer. Attorney Van Fischer was present on behalf of the Respondent. Director Young stated that the City will be requesting a continuance and this case is almost in compliance as they are waiting for the removal of the lockout situation. The Special Magistrate granted a continuance to 15 December 2022.

2

Case # 20-1335

John Lindle

1617 White Street

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

Officer Jim Young

Certified Mail: 2-2-2021

Initial Hearing: 2-18-2021

Continued from 28 July 2022

Count 1: Failure to apply and obtain after the fact permits for building, electrical and plumbing.

Director Jim Young was the Code Officer. Chief Building Official Raj Ramsingh was present. Attorney Van Fischer was present on behalf of the City. Attorney Fischer stated that he will be having a meeting at the site with Raj Ramsingh before issuing the after the fact permits so that this case can come into compliance. Raj Ramsingh stated that once the site visit is done the property owners should have the permit and this case will be in compliance. The Special Magistrate granted a continuance to 17 November 2022.

3

Case # 22-1287

Douglas E. Kutney

1707 Washington Street

Sec. 58-31 Container and receptacle requirements

Sec. 58-35 Requirements for bulk and excess yard waste pickup

Sec. 62-2 Obstructions

Officer Laurie Skinner

Certified Mail: 9-12-2022

Initial Hearing: 9-29-2022

New Case

Count 1: Failure to remove trash bins from City right of way.

Count 2: Failure to schedule a bulk waste or excess yard waste pickup with the City's franchise hauler.

Count 3: Failure to remove items from City right of way.

The Code Officer was Laurie Skinner. The Respondent Douglas Kutney was present as well. Officer Skinner read her timeline and evidence was shown. Officer Skinner stated that the City would be asking to dismiss count 1 and 2 as they are in compliance. Officer Skinner also stated that Mr. Kutney is in compliance as of the day of the hearing and that the City would also be asking for a finding of violation with no fees or fines. The Respondent admitted to the violations against him. The Special Magistrate granted a finding of violation with no fees or fines.

4

Case # 22-510

Charles Arthur Mcconn

620 White Street

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

Sec. 14-40 Permits in historic districts

Officer Keenan Mellendorf

Certified Mail: 9-8-2022

Initial Hearing: 9-29-2022

New Case

Count 1: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

Count 2: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

The Code Officer was Keenan Mellendorf. The Respondent Charles McConn was present. Officer Mellendorf asked for a continuance since they are waiting for the Building Department to do an inspection. The Special Magistrate told the Respondent that asking for a continuance 24 hrs before the hearing will be denied. If its not an emergency continuance requests should be requested at least a week before the hearing. The Special Magistrate did grant a continuance to 17 November 2022.

5

Case # 22-437

Jean Fenold Metellus

1213 14th Street Lot 193

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

Officer Sophia Doctoche

Certified Mail: 5-11-2022

Initial Hearing: 5-26-2022

Continued from 28 July 2022

Count 1: Failure to apply and obtain the appropriate building permits

with the City of Key West Building Department.

The Code Officer was Sophia Doctoche. The Respondent Jean Fenold Metellus was present. Officer Doctoche stated that this case is not in compliance. Mr. Metellus stated that he is still waiting on the drawings from the engineer that he hired. Officer Doctoche explained that the City wanted the fines to begin to run since Mr. Metellus has had plenty of time to submit these drawings. Mr. Metellus has no idea when the plans will be submitted. The Special Magistrate decided on giving the Respondent a new compliance date with an administrative cost and \$250.00 per count per day if not in compliance by November 10, 2022.

6

Case # 22-831

Borders Nidia F Revocable Trust 4/26/2020

1415 1st Street

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

Sec. 14-359 Permit display

Sec. 14-262 Request for inspection

Sec. 58-61 Determination and levy of charge

Sec. 90-363 Certificate of occupancy-Required

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

Officer Leo Slecton

Hand Posted: 9-19-2022- **Amended Notice**

Initial Hearing: 7-28-2022

Continued from 25 August 2022

Count 1: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

Count 2: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

Count 3: Failure to schedule an inspection for all work that has been completed.

Count 4: Failure to apply and obtain a LUD with the City of Key West Planning Department.

Count 5: Failure to apply and obtain a Certificate of Occupancy with the City of Key West Building Department.

Count 6: Failure to apply and obtain a business tax receipt from the City of Key West Licensing Department.

Director Jim Young was present on behalf of the City. The Respondent did not attend. Director Young stated the City will be asking for another continuance since Magistrate Al Kelley was supposed to hear that particular case and he could not attend the hearing that day. The Special Magistrate granted the

continuance to 15 December 2022.

7

Case # 22-1135

Ennio & Kathleen Staffini
3513 Sunrise Drive
Sec. 110-259 Duty of private property owner
Officer Sean Davis
Certified Mail: 9-20-2022
Initial Hearing: 9-29-2022

New Case

Count 1: Failure to trim trees obstructing a traffic sign.

The Code Officer was Sean Davis. The Respondent did not attend. Officer Davis read his timeline and evidence was shown. Officer Davis stated that the property is in compliance, but the City would like to find that there is a violation since they are repeat offenders. The Special Magistrate thought that there was substantial evidence to find that there is a violation and imposed no fees and no fines.

8

Case # 22-1210

Michael Cates
3708 Northside Drive
14-37 Building permits; professional plans; display of permits; address; exceptions
Officer Sean Davis
Certified Mail: 9-12-2022
Initial Hearing: 9-29-2022

New Case

Count 1: Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

The Code Officer was Sean Davis. The Respondent did not attend. Officer Davis read his timeline and evidence was shown. Officer Davis stated that the Respondent is working with him to come into compliance and he is waiting for the DEO to complete the review. The City asked for a continuance. The Special Magistrate granted the continuance to 17 November 2022.

9

Case # 22-539

Maccheroni KW LLC
Savi Franca MBR- **Registered Agent**
112 Fitzpatrick Street
Sec. 2-939 Licenses

Officer Sophia Doctoche
Certified Mail: 9-26-2022
Initial Hearing: 9-29-2022

In compliance as of 30 August 2022; Request dismissal

Count 1: Failure to apply and obtain a cafe right of way permit from the City of Key West Licensing Department.

This case came into compliance as of 30 August 2022. The Special Magistrate granted the dismissal.

10

Case # 22-600
Misohappy LLC
Kevin Zuelch- **Registered Agent**
504 Southard Street
Sec. 2-939 Licenses
Officer Sophia Doctoche
Certified Mail: 9-2-2022
Initial Hearing: 9-29-2022

In compliance as of 13 October 2022; Request dismissal

Count 1: Failure to apply and obtain a cafe right of way permit from the City of Key West Licensing Department.

This case came into compliance as of 13 October 2022. The Special Magistrate granted the dismissal.

11

Case # 22-601
Bourbon Street Pub Inc
Joseph J. Schroeder- **Registered Agent**
724 Duval Street
Sec. 2-939 Licenses
Officer Sophia Doctoche
Certified Mail: 8-22-2022
Initial Hearing: 9-29-2022

In compliance as of 31 August 2022; Request dismissal

Count 1: Failure to apply and obtain a cafe right way permit from the City of Key West Licensing Department.

This case came into compliance as of 31 August 2022. The Special Magistrate granted the dismissal.

12

Case # 22-903

Mark Chips

Lori Chips

Gary Chips

3312 Northside Drive 706

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

Officer Sophia Doctoche

Hand Posted: 9-16-2022

Initial Hearing: 9-29-2022

New Case

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

The Code Officer was Sophia Doctoche. The Respondents did not attend. Officer Doctoche read her timeline and stated that they have not obtained the proper license to come into compliance. The City asked for a finding of violation \$250.00 court cost and \$250.00 a day until compliance. The Special Magistrate granted the finding and imposed \$250.00 court cost and \$250.00 per count per day starting October 21, 2022.

13

Case # 22-904

Mark D. Dam

Erika Dam

3312 Northside Drive #705

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

Officer Sophia Doctoche

Certified Mail: 8-29-2022

Initial Hearing: 9-29-2022

In compliance as of 19 October 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license from the City of Key West Licensing Department.

This case came into compliance as of 19 October 2022. The Special Magistrate granted the dismissal.

14

Case # 22-948

Louis Condos

Mary Jo Condos

3312 Northside Drive 407
Sec. 66-87 Business tax receipt required for holding
Officer Sophia Doctoche
Certified Mail: 8-31-2022
Initial Hearing: 9-29-2022

In compliance as of 24 August 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 24 August 2022. The Special Magistrate granted the dismissal.

15

Case # 22-956

Roman Nedbal
1609 Trinidad Drive
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
~~Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business- **Dismissed**~~
Officer Sophia Docotche
Hand Posted: 8-29-2022- **Amended Notice**
Initial Hearing: 8-25-2022

Continued from 25 August 2022

Count 1: Failure to apply and obtain a certificate of occupancy with the City of Key West Building Department.

Count 2: Failure to apply and obtain a legal unit determination with the City of Key West Planning Department.

Count 3: Failure to apply and obtain the required building permits from the City of Key West Building Department.

~~**Count 4:** Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.~~ **Dismissed**

Sophia Doctoche was the Code Officer. The Respondent did not attend. Officer Doctoche stated that the Respondent came into compliance the morning of the hearing October 20, 2022. The City requested this case be dismissed. The Special Magistrate granted the dismissal.

16

Case # 22-975

Hector E. Vazquez

3930 S Roosevelt Blvd 113E
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 8-31-2022
Initial Hearing: 9-29-2022

New Case

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

The Code Officer was Sophia Doctoche. The Respondent did not attend. Officer Doctoche read her timeline and stated that the Respondent is not in compliance. The City is asking for a finding of the violation with \$250.00 court cost and \$250.00 per count per day until compliance. The Special Magistrate granted the finding of violation and imposed \$250.00 court cost and \$250.00 per count per day starting 21 October 2022.

17

Case # 22-1045

Roger Rupert
3635 Seaside Drive 316
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail:
Initial Hearing: 9-29-2022

In compliance as of 3 October 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 3 October 2022. The Special Magistrate granted the dismissal.

18

Case # 22-1046

Santos Todd Charles Rev Trust
3635 Seaside Drive 404
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 9-2-2022
Initial Hearing: 9-29-2022

New Case

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

The Code Officer was Sophia Doctoche. The Respondent did not attend. Officer Doctoche read her timeline and stated that the Respondent is not in compliance. The City is asking for a finding of the violation with \$250.00 court cost and \$250.00 per count per day until compliance. The Special Magistrate granted the finding of violation and imposed \$250.00 court cost and \$250.00 per count per day starting 21 October 2022.

19

Case # 22-1057

Jeffery & Carol Burnham

1304 Laird Street

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

Officer Sophia Doctoche

Certified Mail: 9-30-2022

Initial Hearing: 10-20-2022

In compliance as of 22 September 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 22 September 2022. The Special Magistrate granted the dismissal.

20

Case # 22-1058

Walter F. Yext

1800 Atlantic Blvd 115B

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

Officer Sophia Doctoche

Certified Mail: 8-22-2022

Initial Hearing: 8-25-2022

In compliance as of 29 August 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 29 August 2022. The Special Magistrate granted the dismissal.

21

Case # 22-1061

Sarah D Wimmer
1800 Atlantic Blvd 331C
Sec. 66-87 Business tax receipt for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Hand Posted: 10-3-2022
Initial Hearing: 10-20-2022

In compliance as of 4 October 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 4 October 2022. The Special Magistrate granted the dismissal.

22

Case # 22-1063

Roberta M. Chango
1901 S Roosevelt Blvd 207W
Sec. 66-87 Business tax receipt for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 9-22-2022
Initial Hearing: 10-20-2022

In compliance as of 9 September 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 9 September 2022. The Special Magistrate granted the dismissal.

23

Case # 22-1209

Crawford Dean A Rev Inter Vivos Trust
1500 Atlantic Blvd 313
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 9-30-2022
Initial Hearing: 10-20-2022

In compliance as of 11 October 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 11 October 2022. The Special Magistrate granted the dismissal.

24

Case # 22-1258

Truman & Company Inc

Jennifer Newman

307 Amelia Street

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

Officer Sophia Doctoche

Certified Mail: 8-31-2022

Initial Hearing: 9-29-2022

In compliance as of 26 August 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 26 August 2022. The Special Magistrate granted the dismissal.

25

Case # 22-1272

Jindrich Kasparovsky

3312 Northside Drive #515

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

Officer Sophia Doctoche

Certified Mail: 9-8-2022

Initial Hearing: 9-29-2022

In compliance as of 6 September 2022; Request dismissal

Count 1: Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

This case came into compliance as of 6 September 2022. The Special Magistrate granted the dismissal.

26

Case # 22-1273

Steadman D. Jackson

Shellie C. Jackson

1713 George Street

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

Officer Sophia Doctoche

Certified Mail:

Initial Hearing: 9-29-2022

In compliance as of 5 October 2022; Request dismissal

Count 1: Failure to clear the property of garbage, litter, rubbish, refuse, solid waste, trash, and yard debris.

This case came into compliance as of 5 October 2022. The Special Magistrate granted the dismissal.

27

Case # 19-1523

Ohlinger Birchard Hayes Revocable Living Trust

817 1/2 Terry Lane

Sec. 62-2 Obstructions

Officer Paul Navarro

Hand Posted: 10-11-2022

Initial Hearing: 9-29-2022

Requesting dismissal without prejudice

Count 1: Failure to remove pavers from the City's right of way or obtain an easement from the City of Key West Engineering Department.

The Code Officer was Paul Navarro. Director Jim Young was present on behalf of the City. The Respondent did not attend. Director Young explained that this is case about pavers being on the right of way and the City has a project coming up on Terry Lane and those who have put pavers on the right of way will need to be removed. City is requesting a dismissal of the case without prejudice because the City would like to reserve the right to bring back the case when the Terry Lane project is under way. The Special Magistrate granted the dismissal without prejudice.

28

Case # 19-1534

Betty & Peter Barquin

916 Terry Lane

Sec. 62-2 Obstructions

Officer Paul Navarro

Certified Mail: 8-22-2022

Initial Hearing: 9-29-2022

Requesting dismissal without prejudice

Count 1: Failure to remove pavers from City right of way or obtain an easement form the City of Key West Engineering Department.

Let it be noted that this case is the same as the previous case that was read. The City requested this case to be dismissed without prejudice. The Special Magistrate granted the dismissal without prejudice.

29

Case # 21-1690

Lisa & Joseph Querci

3838 Flagler Ave

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

Officer Paul Navarro

Certified Mail: 8-22-2022

Initial Hearing: 9-29-2022

New Case

Count 1: Failure to apply and obtain the appropriate building permits from the City of Key West Building Department.

The Code Officer was Paul Navarro. The Respondent did not attend. Officer Navarro stated that the City is asking for a continuance as the Respondent is working with the City to come into compliance and they have a Planning Board Meeting coming up on November 1, 2022. The Special Magistrate granted the continuance to 15 December 2022.

30

Case # 21-1831

Migo 2 LLC

Michael Goldberg- **Registered Agent**

2016 Roosevelt Drive

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

Officer Paul Navarro

Certified Mail: 8-22-2022

Initial Hearing: 9-29-2022

New Case

Count 1: Failure to apply and obtain the appropriate building permits

from the City of Key West Building Department

The Code Officer was Paul Navarro. Chief Building Official Raj Ramsingh was present. The Respondent did not attend. CBO Ramsingh stated that he has a meeting tomorrow with the home owner and contractor because the structure is over the 50% rule and they are having a meeting to look for solutions. The City asked for a finding of the violation \$250.00 court costs and \$250.00 per count per day. The Special Magistrate found that there was substantial evidence for a finding of violation and imposed \$250.00 court cost and \$250.00 per count per day if not in compliance by 12 December 2022.

31

Case # 22-782

Robert & Rhonda Saunders
1013 Packer Street
Sec. 62-2 Obstructions
Sec. 58-31 Container and receptacle requirements
Officer Paul Navarro
Certified Mail: 8-2-2022
Initial Hearing: 8-25-2022

In compliance as of 30 August 2022; Request dismissal

Count 1: Failure to remove trash bins from City right of way.

Count 2: Failure to remove trash bins from City right of way.

This case came into compliance as of 30 August 2022. The Special Magistrate granted the dismissal.

32

Case # 22-909

Dan Serban
1125 Margaret Street
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Leo Slecton
Certified Mail: 8-15-2022
Initial Hearing: 8-25-2022

In compliance as of 19 October 2022; Request dismissal

Count 1: Failure to apply and obtain the appropriate building permits from the City of Key West Building Department.

This case came into compliance as of 19 October 2022. The Special Magistrate granted the dismissal.

30 Case # 22-909

Dan Serban

1125 Margaret Street

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

Officer Leo Slecton

Certified Mail: 8-15-2022

Initial Hearing: 8-25-2022

New Case

Count 1: Failure to apply and obtain the appropriate building permits from the City of Key West Building Department.

30 Case # 22-909

Dan Serban

1125 Margaret Street

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

Officer Leo Slecton

Certified Mail: 8-15-2022

Initial Hearing: 8-25-2022

New Case

Count 1: Failure to apply and obtain the appropriate building permits from the City of Key West Building Department.

33 Case # 19-1509

Albert T Lojko Sr. & Keith J Pritchett Revocable Trust 3/24

313 Olivia Street

62-2 Obstructions

Officer Roman Stenko

Certified Mail:

Initial Hearing: 9-29-2022

In compliance as of 16 September 2022; Request dismissal

Count 1: Failure to remove pavers from the City's right of way or obtain an easement from the City of Key West Engineering Department.

This case came into compliance as of 16 September 2022. The Special Magistrate granted the dismissal.

34 Case # 19-1465

Robert B & Victory Walsh

810 Terry Lane

Sec. 62-2 Obstructions
Officer Jim Young
Certified Mail: 7-18-2022
Initial Hearing: 7-28-2022

Requesting dismissal without prejudice

Count 1: Failure to remove pavers from the City's right of way or obtain an easement from the City of Key West Engineering Department.

The City requested this case to be dismissed without prejudice. The Special Magistrate granted the dismissal without prejudice.

36

Case # 21-722

Key Home Investors LLC
C/O The Mack Company
2811 North Roosevelt Blvd
~~Sec. 26-126 Clearing of property of debris and noxious material required-~~ **Dismiss**
Sec. 14-364 Stormwater retention
Officer Jim Young
Hand Served: 6-8-2022
Initial Hearing: 7-28-2022

Continued from 28 July 2022

~~Count 1: Failure to trim the landscaping and remove the refuse and trash.~~ **Dismiss**

Count 2: Failure to develop and maintain a storm water retention plan.

Director Jim Young was the Code Officer. The Respondent did not attend. Matt Neigh from Apex Companies who is a storm water consultant for the Respondent Home Depot appeared via Zoom. The City asked to dismiss count 1 as they are in compliance. The Special Magistrate granted the dismissal of count 1. The City asked for a continuance to give time for Mr. Neighs company to perform the storm water retention plan and make sure that the storm water is going to be retained. The Special Magistrate granted a continuance to 15 December 2022.

Mitigations

37

Case # 22-17

BB&T
Truist Bank Corporation Service Company
1010 Kennedy Dr Suite 100
Sec. 30-1 Fees for false alarms and fire code inspections

Officer Keenan Mellendorf
Certified Mail: 3-17-2022
Initial Hearing: 3-24-2022

Mitigation

Count 1: Failure to contact the Revenue Department to submit payment for the delinquent fire inspection fees.

The Code Officer was Keenan Mellendorf. The Respondent Patrick Powers attended via Zoom. Director Jim Young was present representing the City. Ashley Dixon Legal Analyst Recording Secretary was present as well. The Respondent has asked the Special Magistrate to mitigate a \$13,500.00 fine and only pay \$500.00. The Respondent explained to the court that BB&T was going through some changes with transferring the company to Truist Bank. He also stated that he was unaware of any violations that occurred at that business and did not know there were fines until about a month ago. Director Young stated that according to the mitigation ordinance this case is eligible for a 90% deduction since compliance took less than 60 days to achieve. Legal Analyst Ashley Dixon stated that there was 3 Collection Letters sent to the company about unpaid fines and all of the certified mail came back to me as good service. The Special Magistrate decided to mitigate the fine down to \$10,000.00.

38

Case # 22-1140

LNSW LLC
322 Amelia Street
Sec. 26-126 Clearing of property of debris and noxious material required
Officer Sean Davis
Certified Mail: 8-11-2022
Initial Hearing: 8-25-2022

Mitigation

Count 1: Failure to clear property of debris, noxious material and high weeds.

The Code Officer was Sean Davis. Will Shepler was present representing the Respondent. Legal Analyst Recording Secretary Ashley Dixon was present as well. Officer Davis read a timeline of the case. Mr. Shepler stated that he was the architect for the project and when the property owners first got the notice of an over grown lot they took action immediately of the violation which is why they are asking for a reduction of the fine. Ms. Dixon stated that the property owners did call immediately when they received the finding and order that fines were due. The Special Magistrate granted a reduction of the \$4,000.00 fine to \$500.00.

Adjournment