



Islamorada, Village of Islands

Code Compliance Hearing

November 12, 2024 - 2:00 PM
Village Administrative Center & Public Safety Headquarters
Third Floor Conference Room
86800 Overseas Highway
Islamorada, FL 33036

AGENDA

- I. **CALL TO ORDER / ROLL CALL**
- II. **NEW HEARINGS**
 - A. **CEBDGC20230000250**
Islamorada Village of Islands Vs. Michael W Hurley Vs. Becky M Hurley
- III. **HEARINGS ON CASES FROM PREVIOUS AGENDA**
- IV. **HEARINGS ON AFFIDAVITS OF NON-COMPLIANCE**
- V. **HEARINGS ON AFFIDAVITS OF COMPLIANCE**
- VI. **REQUESTS FOR FURTHER ACTION**
MOTION TO EXTEND COMPLIANCE DATE
 - A. **CEBDGC20220000250**
Islamorada Village of Islands v. Victor Gircy's
Motion To Extend Compliance Deadline
- VII. **AFFIDAVITS OF DEFAULT**
- VIII. **ADJOURNMENT**



CODE COMPLIANCE HEARING

Hearing Date: November 12, 2024

Case Number: CEBDGC20230000250

Islamorada Village of Islands Vs. Michael W Hurley Vs. Becky M

Hurley

Property Information:

NEW CASE

Property Owner(s): Michael W Hurley and Becky M Hurley

168 Indian Mound Trl, Islamorada, FL 33070.

Parcel ID: 00424590-000000

Case Background:

Violation:

Section 6-61 of the Village Code entitled "Work requiring building permit" which provides that permits are required as provided in the Florida Building Code, and for the following work: swimming pool protection fence and aluminum levered fence.

Corrective Measures:

Apply for and obtain ATF (After The Fact) permits for the pool fence and louvered fence, pay the required fees and pass the necessary inspections for the permits to close.

On September 6, 2023, Gerardo Gonzalez, former Code Compliance Officer for the Village, while on routine patrol, found and documented two unpermitted fence installations on this property. A stop work order was posted on the property.

On September 6, 2023, an after the fact building permit application (PRBLD202300968) for the interior swimming pool protection fence was submitted. This permit is now in abandoned status.

On December 12, 2023, a second after the fact building permit application (PRBLD202301256) for a white aluminum louvered fence with a double swing gate was submitted. This permit is now in abandoned status.

Approximately in February 2024, I inherited this case from former code compliance officer Gerardo Gonzalez.

On March 5, 2024, I conducted a site visit to the property to get familiar with this case and was able to observe the white aluminum louvered fence with a double swing gate. I was not able to observe the interior swimming pool protection fence.

On May 20, 2024, upon conducting a case review, I observed that the interior swimming pool protection permit application had been abandoned.

On June, 19, 2024, upon conducting a case review, I observed that the white aluminum louvered fence with a double swing gate permit application had been abandoned. A Notice of Violation was prepared and issued via certified mail on June 24, 2024. The updated corrective measure is to renew, pay all fees, and have the inspections completed to close out the permits.

On July 24, 2024, I received a call from one of the property owners (Mr. Michael Hurley) in response to the Notice of Violation. I explained what the code case was about with its corrective action.

On approximately July, 29, 2024, the USPS certified green card came back unsigned, giving me reason to believe that even when I spoke with the owner previously, good service had not been met. Therefore, I prepared an additional Notice of Violation. The additional Notice of Violation was prepared and posted on the property that same day.

On September 5, 2024, a Notice of Warning was prepared, issued via certified mail, and one additional copy was posted on the property that same day. The Notice issued via certified mail came back to our offices as unclaimed on October 1st, 2024.

On October 16, 2024, upon conducting a case review, I observed that the two fence permit applications were still in abandoned status. A Notice of Hearing was prepared and issued via certified mail and a copy of such notice was posted on the property and the Islamorada Village Hall on the 2nd floor. An affidavit of posting was also completed on this same day.

On October 18, 2024, I received a call from one of the property owners (Mr. Michael Hurley) in response to the Notice of Hearing to indicate that he is working with an engineer on the needed documentation for the permits.

Exhibits:

1. Hearing File

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS

CASE NO.: CEBDGC20230000250

Petitioner,

v.

HURLEY MICHAEL W AND HURLEY BECKY

M

Respondent.

NOTICE OF HEARING

To: HURLEY MICHAEL W AND HURLEY BECKY M

Re: Violations of the Village Code at

Property Location:	168 INDIAN MOUND TRL, ISLAMORADA, FLORIDA 33036
Subdivision:	INDIAN WATERWAYS
Legal Description:	INDIAN WATERWAYS PB4-29 PLANTATION KEY LOTS 12 & 13 BK 7 OR425-609 OR428-454/55 OR803-757 OR808-1252 OR809-2052 OR1132-1444 OR1132-1448 OR1224-1835AFF OR1301-1800 OR1301-1806AFF RE 42458 COMBINED PER OWNERS REQ 5-31-95 OR1462-1617/27F/J OR1491-46 OR1661-20NOTICE/HX OR1735-1797/1815F/J OR1743-553/54Q/C OR1836-2013 OR3182-0484

Date and Factual Description of Violation(s):

On Wednesday, September 6, 2023, I witnessed a crew putting a fence on property without a valid permit.

Section 6-61(a) of the Village Code entitled "Work requiring building permit" which provides that permits are required as provided in the Florida Building Code, and for the following work: of the Village Code entitled "Work requiring building permit" which provides that permits are required as provided in the Florida Building Code, and for the following work: Section 105, Chapter 1 of the current Florida Building Code (FBC) states that any owner or authorized representative who intends to construct, enlarge, repair, move, demolish or change the occupancy of a building or structure, or erect, install, enlarge, alter, repair, remove or convert or replace any required impact-resistant coverings, electrical, gas, mechanical, or plumbing system, they shall first make application to the building official and obtain the required permit.

Corrective measures needed to be in compliance with Village code: a new fence was installed without a permit. Permit application PRBLD202300968 (ATF swimming pool fence) and permit application PRBLD202301256 (ATF aluminum louvered fence) have been abandoned. Please reactivate, issue, and close the permits. If in the event, during the permit application process, it is determined by Village staff, that the accessory structures cannot be permitted, they need to be removed from the property.

For permitting guidance if needed, please contact the Village Planning & Zoning Department at (305) 664-6426 and Building Services Department at (305) 664-6437

You are hereby ordered to appear before the Village Code Compliance Hearing Officer ("Hearing Officer") for a public hearing to address the above violation(s) of the Village Code. This public hearing will be held **Tuesday, November 12th, 2024, at 2:00 PM at Islamorada, Village of Islands Village Hall, 86800 Overseas Highway, 3rd Floor Conference Room, Islamorada, Florida 33036**

In the event the Hearing Officer finds you in violation, the Hearing Officer may levy fines of up to \$250.00 per day for a first violation, up to \$500.00 per day for a repeat violation, or up to \$500.00 per violation for a Citation, against you and your Property for every day that any violation continues beyond the compliance date set in the Notice of Violation or Citation issued by the Code Compliance Officer. If the Hearing Officer finds that the violation is irreparable or irreversible in nature, the Hearing Officer may impose a fine of up to \$5,000.00. If the violation is corrected and then reoccurs, or if the violation is not corrected by the time specified for correction by the Code Compliance Officer, the case may be presented to the Hearing Officer even if the violation has been corrected prior to the hearing. You may also be liable for the costs of repairs and the reasonable administrative hearing costs in an amount no less than \$125.00, if found in violation of the Village Code. A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien against the Property and upon any other non-exempt real or personal property you own. The lien may result in a foreclosure of your property and a money judgment against you.

It is your responsibility to request a re-inspection of the Property and Village records, as applicable, to determine whether you complied with this notice of violation, by calling the Code Compliance Officer at (305) 664-6434.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you at this hearing. You will also have the opportunity to present witnesses as well as question the witnesses against you before the Hearing Officer makes a determination. If you wish to present exhibits at the hearing, please bring four (4) copies of each exhibit. Failure to attend the hearing or a finding of a violation may result in a civil penalty and administrative hearing costs assessed against you.

Requests for continuances will not be considered if not received by the Hearing Officer at least ten (10) calendar days before the date set for the hearing.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Hearing Officer, with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to

ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the ADA Coordinator at ADA@islamorada.fl.us or by phone at (305) 664-6448 at least five (5) days prior to the hearing.

PLEASE GOVERN YOURSELF ACCORDINGLY.



Andres Garcia
Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6434
E-mail: andres.garcia@islamorada.fl.us

Certificate of Service

I, Andres Garcia, do hereby certify that a true and correct copy of the foregoing has been furnished via to: HURLEY MICHAEL W AND HURLEY BECKY M, 168 INDIAN MOUND TRL TAVERNIER, FL 33070 (return receipt number: 9589 0710 5270 1220 6360 45), on October 16, 2024.



Andres Garcia
Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6434
E-mail: andres.garcia@islamorada.fl.us

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS
Petitioner,

CASE NO. CEBDGC20230000250

v.

HURLEY MICHAEL W AND HURLEY BECKY M

Respondent

NOTICE OF WARNING

Date: September 05, 2024

To: HURLEY MICHAEL W AND HURLEY BECKY M

Re: Violations of the Village Code at

Property Location: 168 INDIAN MOUND TRL

Subdivision: INDIAN WATERWAYS

Parcel ID: 00424590-000000

A review of the Monroe County tax roll indicates that you are the owner(s) of the above-referenced property (the "Property").

Pursuant to Article III, Chapter 2 of the Village Code, you are in violation of Village Ordinance(s). In order to avoid fines and/or a hearing these violations must be resolved by October 07, 2024.

An investigation on **September 6, 2023**, found the following violations(s):

Section 6-61(a) of the Village Code entitled "Work requiring building permit" which provides that permits are required as provided in the Florida Building Code, and for the

following work: of the Village Code entitled "Work requiring building permit" which provides that permits are required as provided in the Florida Building Code, and for the following work: Section 105, Chapter 1 of the current Florida Building Code (FBC) states that any owner or authorized representative who intends to construct, enlarge, repair, move, demolish or change the occupancy of a building or structure, or erect, install, enlarge, alter, repair, remove or convert or replace any required impact-resistant coverings, electrical, gas, mechanical, or plumbing system, they shall first make application to the building official and obtain the required permit.

Corrective measures needed to be in compliance with Village Code: permit application PRBLD202300968 (ATF swimming pool fence) and permit application PRBLD202301256 (ATF aluminum louvered fence) have been abandoned. Please reactivate, issue, and close the permits. If in the event, during the permit application process, it is determined by Village staff, that the accessory structures cannot be permitted, they need to be removed from the property.

For permitting guidance if needed, please contact the Village Planning & Zoning Department at (305) 664-6426 and Building Services Department at (305) 664-6437.

In order to avoid fines and/or a hearing these violations must be resolved by **October 7, 2024.**

You are hereby directed to complete the required corrective action(s) no later than the compliance date shown above. Failure to correct the violation(s) shall result in further enforcement including but not limited to a Citation not to exceed \$500.00 dollars per violation and/or issuance of Notices of Violation. This matter may be referred to the Village's Code Compliance Hearing Officer ("Hearing Officer") for an administrative hearing.

If a repeat violation is found, the Code Inspector shall notify the violator but is not required to give the violator a reasonable time to correct the violation. The Code Inspector, upon notifying the violator of a repeat violation shall notify the Hearing Officer and request a hearing. The Hearing Officer shall provide notice as prescribed by this chapter and F.S. §162.12. The case may be presented to the Hearing Officer even if the repeat violation has been corrected, the Hearing Officer retains the right to schedule a hearing to determine the cost and impose a payment of reasonable enforcement fees upon repeat violator. The repeat violator may choose to waive his or her right to this hearing and pay the cost as determined by the Hearing Officer.

A fine imposed shall not exceed \$250.00 per day for the first violation and shall not exceed \$500.00 per day for a repeat violation, and in addition, may include all cost of

repairs pursuant to this section. However, if the Hearing Officer finds the violation to be irreparable or irreversible in nature, they may impose a fine not to exceed \$5,000.00 per violation.

A certified copy of an order imposing a fine, or a fine plus repairs cost may be recorded in public records and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. Upon petition to the circuit court, the order shall be enforceable in the same manner as a court judgment by the sheriffs of this state, including execution and levy against the perusal property of the violator, but the order shall not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this part shall continue to accrue until violator comes into compliance or until judgment is rendered in suit to foreclose on a lien filed pursuant to this section, whichever occurs first. A lien arising from a fine imposed pursuant to this section runs in favor of the Village, and the Village may execute a satisfaction or release of lien entered pursuant to this section. No hearing shall be necessary for the imposition of the lien. You may also be liable for the reasonable administrative hearing costs of \$125.00 if found in violation of the Village Code.

It is your responsibility to schedule a re-inspection of your property if you comply with this notice of violation.

PLEASE GOVERN YOURSELF ACCORDINGLY.



Andres Garcia
Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6434
E-mail: andres.garcia@islamorada.fl.us

Certificate of Service

I, Andres Garcia, do hereby certify that a true and correct copy of the foregoing has been furnished via to: HURLEY MICHAEL W AND HURLEY BECKY M, 168 INDIAN MOUND TRL, TAVERNIER, FL 33070, (return receipt number: 9589 0710 5270 1220 9359 94), on September 05, 2024



Andres Garcia
Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6434
E-mail: andres.garcia@islamorada.fl.us

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS
Petitioner,

CASE NO. CEBDGC20230000250

v.

HURLEY MICHAEL W AND HURLEY BECKY M
Respondent

NOTICE OF VIOLATION

Date: July 29, 2024

To: HURLEY MICHAEL W AND HURLEY BECKY M

Re: Violations of the Village Code at

Property Location:	168 INDIAN MOUND TRL
Subdivision:	INDIAN WATERWAYS
Legal Description:	INDIAN WATERWAYS PB4-29 PLANTATION KEY LOTS 12 & 13 BK 7 OR425-609 OR428-454/55 OR803-757 OR808-1252 OR809-2052 OR1132-1444 OR1132-1448 OR1224-1835AFF OR1301-1800 OR1301-1806AFF RE 42458 COMBINED PER OWNERS REQ 5-31-95 OR1462-1617/27F/J OR1491-46 OR1661-20NOTICE/HX OR1735-1797/1815F/J OR1743-553/54Q/C OR1836-2013 OR3182-0484

A review of the Monroe County tax roll indicates that you are the owner(s) of the above-referenced property (the "Property"). Pursuant to Article III, Chapter 2 of the Village Code, the purpose of this notice is to advise you that you are in violation of the Village Code(s).

An investigation on **September 06, 2023**, found the following violations(s):

Section 6-61(a) of the Village Code entitled "Work requiring building permit" which provides that permits are required as provided in the Florida Building Code, and for the

following work: of the Village Code entitled "Work requiring building permit" which provides that permits are required as provided in the Florida Building Code, and for the following work: Section 105, Chapter 1 of the current Florida Building Code (FBC) states that any owner or authorized representative who intends to construct, enlarge, repair, move, demolish or change the occupancy of a building or structure, or erect, install, enlarge, alter, repair, remove or convert or replace any required impact-resistant coverings, electrical, gas, mechanical, or plumbing system, they shall first make application to the building official and obtain the required permit.

Corrective measures needed to be in compliance with Village code: permit application PRBLD202300968 (ATF swimming pool fence) and permit application PRBLD202301256 (ATF aluminum louvered fence) have been abandoned. Please reactivate, issue, and close the permits. If in the event, during the permit application process, it is determined by Village staff, that the accessory structures cannot be permitted, they need to be removed from the property.

For permitting guidance if needed, please contact the Village Planning & Zoning Department at (305) 664-6426 and Building Services Department at (305) 664-6437

In order to avoid fines and/or a hearing these violations must be resolved by **August 30, 2024**

Failure to complete the corrective action listed above by the deadline for compliance may result in this matter being referred to the Village's Code Compliance Hearing Officer ("Hearing Officer") for a hearing. If a hearing has not already been scheduled for you, you may request such a hearing by filing a written request with the Village. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified, the case may be presented to the Hearing Officer even if the violation has been corrected prior to the hearing. If the Hearing Officer determines the Property is in violation of the Village Code, a monetary fine of up to \$250.00 per day for a first violation and \$500.00 per day for a repeat violation may be assessed against you and the Property. If the Hearing Officer finds that the violation is irreparable or irreversible in nature, the Hearing Officer may impose a fine of up to \$5,000.00. You may also be liable for the cost of repairs. A certified copy of an order imposing a fine may be recorded in the public records and therefore shall constitute a lien against the Property and upon any other real or personal property owned by you. No hearing shall be necessary for the imposition of the lien. You may also be liable for the reasonable administrative hearing costs of \$125.00 if found in violation of the Village Code.

It is your responsibility to schedule a re-inspection of your property if you comply with this notice of violation. Please contact the Code Compliance Officer whose name appears below to request an inspection.

PLEASE GOVERN YOURSELF ACCORDINGLY.



Andres Garcia
Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6434
E-mail: andres.garcia@islamorada.fl.us

Certificate of Service

I, Andres Garcia, do hereby certify that a true and correct copy of the foregoing has been posted/hand delivered via to: HURLEY MICHAEL W AND HURLEY BECKY M, at 168 INDIAN MOUND TRL TAVERNIER, FL 33070 on July 29, 2024.



Andres Garcia
Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6434
E-mail: andres.garcia@islamorada.fl.us

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS
Petitioner,

CASE NO. CEBDGC20230000250

v.

HURLEY MICHAEL W AND HURLEY BECKY M
Respondent

NOTICE OF VIOLATION

Date: June 24, 2024

To: HURLEY MICHAEL W AND HURLEY BECKY M

Re: Violations of the Village Code at

Property Location:	168 INDIAN MOUND TRL
Subdivision:	INDIAN WATERWAYS
Legal Description:	INDIAN WATERWAYS PB4-29 PLANTATION KEY LOTS 12 & 13 BK 7 OR425-609 OR428-454/55 OR803-757 OR808-1252 OR809-2052 OR1132-1444 OR1132-1448 OR1224-1835AFF OR1301-1800 OR1301-1806AFF RE 42458 COMBINED PER OWNERS REQ 5-31-95 OR1462-1617/27F/J OR1491-46 OR1661-20NOTICE/HX OR1735-1797/1815F/J OR1743-553/54Q/C OR1836-2013 OR3182-0484

A review of the Monroe County tax roll indicates that you are the owner(s) of the above-referenced property (the "Property"). Pursuant to Article III, Chapter 2 of the Village Code, the purpose of this notice is to advise you that you are in violation of the Village Code(s).

An investigation on September 06, 2023, found the following violations(s):

Section 6-61(a) of the Village Code entitled "Work requiring building permit" which provides that permits are required as provided in the Florida Building Code, and for the following work: Section 105, Chapter 1 of the current Florida Building Code (FBC) states that any owner or authorized representative who intends to construct, enlarge, repair, move, demolish or change the occupancy of a building or structure, or erect, install, enlarge, alter, repair, remove or convert or replace any required impact-resistant coverings, electrical, gas, mechanical, or plumbing system, they shall first make application to the building official and obtain the required permit.

Corrective measures needed to be in compliance with Village code: permit application PRBLD202300968 (ATF swimming pool fence) and permit application PRBLD202301256 (ATF aluminum louvered fence) have been abandoned. Please reactivate, issue, and close the permits. If in the event, during the permit application process, it is determined by Village staff, that the accessory structures cannot be permitted, they need to be removed from the property.

For permitting guidance if needed, please contact the Village Planning & Zoning Department at (305) 664-6426 and Building Services Department at (305) 664-6437

In order to avoid fines and/or a hearing these violations must be resolved by **July 24, 2024**.

Failure to complete the corrective action listed above by the deadline for compliance may result in this matter being referred to the Village's Code Compliance Hearing Officer ("Hearing Officer") for a hearing. If a hearing has not already been scheduled for you, you may request such a hearing by filing a written request with the Village. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified, the case may be presented to the Hearing Officer even if the violation has been corrected prior to the hearing. If the Hearing Officer determines the Property is in violation of the Village Code, a monetary fine of up to \$250.00 per day for a first violation and \$500.00 per day for a repeat violation may be assessed against you and the Property. If the Hearing Officer finds that the violation is irreparable or irreversible in nature, the Hearing Officer may impose a fine of up to \$5,000.00. You may also be liable for the cost of repairs. A certified copy of an order imposing a fine may be recorded in the public records and therefore shall constitute a lien against the Property and upon any other real or personal property owned by you. No hearing shall be necessary for the imposition of the lien. You may also be liable for the reasonable administrative hearing costs of \$125.00 if found in violation of the Village Code.

It is your responsibility to schedule a re-inspection of your property if you comply with this notice of violation. Please contact the Code Compliance Officer whose name appears below to request an inspection.

PLEASE GOVERN YOURSELF ACCORDINGLY.



Andres Garcia
Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6434
E-mail: andres.garcia@islamorada.fl.us

Certificate of Service

I, Andres Garcia, do hereby certify that a true and correct copy of the foregoing has been furnished via to: HURLEY MICHAEL W AND HURLEY BECKY M, 168 INDIAN MOUND TRL TAVERNIER, FL 33070 (return receipt number: 7020 0640 0001 0356 0383), on June 24, 2024.



Andres Garcia
Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6434
E-mail: andres.garcia@islamorada.fl.us

Field Notes

Case Number: CEBDGC20230000250

Complete	Activity	Inspector	Field Notes
09/06/2023	Initial Inspection/Record Violations	Gerardo Gonzalez	
09/06/2023	Attach Images	Gerardo Gonzalez	
09/06/2023	Prepare Stop Work Order	Gerardo Gonzalez	
09/06/2023	Info Update	Gerardo Gonzalez	Per Building official, Sheila, owner can continue putting the fence around the pool since its considered a life safety issue but he must submit a permit, get it and close it in order to close out code case. Permit submitted incomplete.Gerardo Gonzalez 10/20/2023 8:15 AM Permit in plan check.Gerardo Gonzalez 12/20/2023 7:51 AM
03/05/2024	Info Update	Andres Garcia	Site visit, observed unpermitted fence already installed. Records show ATF fence permit application #PRBLD202301256 remains to be issued because is waiting for resubmittal with a due date of 06/18/2024. Will move reinspection date to 05/20/2024. Andres Garcia 03/05/2024
05/20/2024	Info Update	Andres Garcia	Permit PRBLD202300968 (ATF swimming pool protection fence) has been abandoned since 03/05/2024 and permit PRBLD202301256 (ATF aluminum louvered fence) has been returned or corrections with a current due date of 06/18/2024. Will move reinspection date. Andres Garcia 05/20/2024
06/24/2024	ReInspection	Andres Garcia	Permit PRBLD202300968 (ATF swimming pool protection fence) and permit PRBLD202301256 (ATF aluminum louvered fence) are in abandoned status. Andres Garcia 06/24/2024
06/24/2024	Attach Images - ReInspection	Andres Garcia	
06/24/2024	Record Fine Offense Level - NOV	Andres Garcia	

06/24/2024	Record Compliance Date or Extension for NOV	Andres Garcia	
06/24/2024	Generate Notice of Violation/Record Delivery	Andres Garcia	
07/24/2024	Info Update	Andres Garcia	Received call from property owner (Michael Hurley) in response to the notice of violation. I explained what the code case is about and what is needed to get it in compliance. I attempted to provide building department contact information, but the owner was not able to write it down at this time. Will move reinspection date. Andres Garcia 07/24/2024
07/29/2024	Info Update	Andres Garcia	NOV-USPS Green Card came back unsigned. To prepare additional NOV to post or hand deliver. Will move reinspection date. Andres Garcia 07/29/2024
07/29/2024	Generate Notice of Violation/Record Delivery	Andres Garcia	
07/29/2024	Info Update	Andres Garcia	2nd Notice of Violation has been posted on the property. Andres Garcia 07/29/2024
09/04/2024	Info Update	Andres Garcia	Records show both permit applications are still on abandoned status. Notified contractor (Southernmost Fence LLC.) via email about my findings. Will move reinspection date. Andres Garcia 09/04/2024
09/04/2024	Info Update	Andres Garcia	Recieved call from contractor (Michael Hampson - 305-587-9347 - Southernmost Fence LLC) to indicate that he has nothing to do with the abandoned swimming pool protection fence permit (PRBLD202300968) and the portion of the fence he was involved is for the fence located at the right side of the property that he never completed. The other abandoned permit application in question (white aluminum louvered fence under permit # PRBLD202301256) is for the

			left side of the property. Andres Garcia 09/04/2024
09/05/2024	ReInspection	Andres Garcia	Records show permit applications in questions are still abandoned. Andres Garcia 09/05/2024
09/05/2024	Attach Images - ReInspection	Andres Garcia	
09/05/2024	Record Compliance Date or Extension for NOW	Andres Garcia	
09/05/2024	Generate Notice of Warning Letter	Andres Garcia	
09/05/2024	Info Update	Andres Garcia	A copy of the notice of warning has been posted on the property. Andres Garcia 09/05/2024
10/01/2024	Info Update	Andres Garcia	Notice of warning came back as unclaimed. Andres Garcia 10/01/2024
10/16/2024	ReInspection	Andres Garcia	Records show permit applications are still in abandoned status. Andres Garcia 10/16/2024
Pending Task	Prepare Information for Legal	Andres Garcia	
Pending Task	Attach Images - ReInspection	Andres Garcia	

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS
Petitioner,

CASE NO. CEBDGC20230000250

v.

HURLEY MICHAEL W AND HURLEY BECKY M
Respondent.

AFFIDAVIT OF POSTING

I, Andres D. Garcia, Code Compliance Officer for Islamorada, Village of Islands, Florida who, after being duly sworn, hereby deposes and says:

1. I am a Code Compliance Officer employed by Islamorada, Village of Islands, Florida.
2. On Wednesday, October 16, 2024, I mailed a copy of the attached Notice of Hearing ("Notice") via certified mail, return receipt requested (9589 0710 5270 1220 6360 45) to HURLEY MICHAEL W AND HURLEY BECKY M 168 INDIAN MOUND TRL TAVERNIER, FL 33070. A copy of the Notice is attached as Exhibit A.
3. On Wednesday, October 16, 2024, I posted a copy of the attached Notice and a Posting Notice on the following described property located at 168 INDIAN MOUND TRL, Plantation Key, Florida and a copy of said Notice and a Posting Notice (copy attached) at Village Hall located at 86800 Overseas Highway, Islamorada, Florida 33036. Notices and photographic evidence of the property posting are attached as Exhibit B.

Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036
Phone: (305) 664-6400 Fax: (305) 664-6488

Oct 16, 2024 at 10:23:20 AM
Islamorada, FL 33070
168 Indian Mound Trl
Andres D. Garcia

POSTING NOTICE

CODE COMPLIANCE

CEBDGC20230000250
CASE NUMBER

Wednesday, October 16, 2024
DATE OF POSTING

THE PROPERTY IS IN VIOLATION OF THE CODE OF ISLAMORADA, VILLAGE OF ISLANDS. ATTEMPTS TO SERVE THE ATTACHED NOTICE BY CERTIFIED MAIL AND/OR HAND DELIVERY WERE MADE PRIOR TO OR CONCURRENTLY WITH THE POSTING OF THIS NOTICE. ACCORDINGLY (check one):

THE DEADLINE FOR COMPLIANCE WITH THE ATTACHED WARNING OR CIVIL VIOLATION NOTICE IS:

October 07, 2024

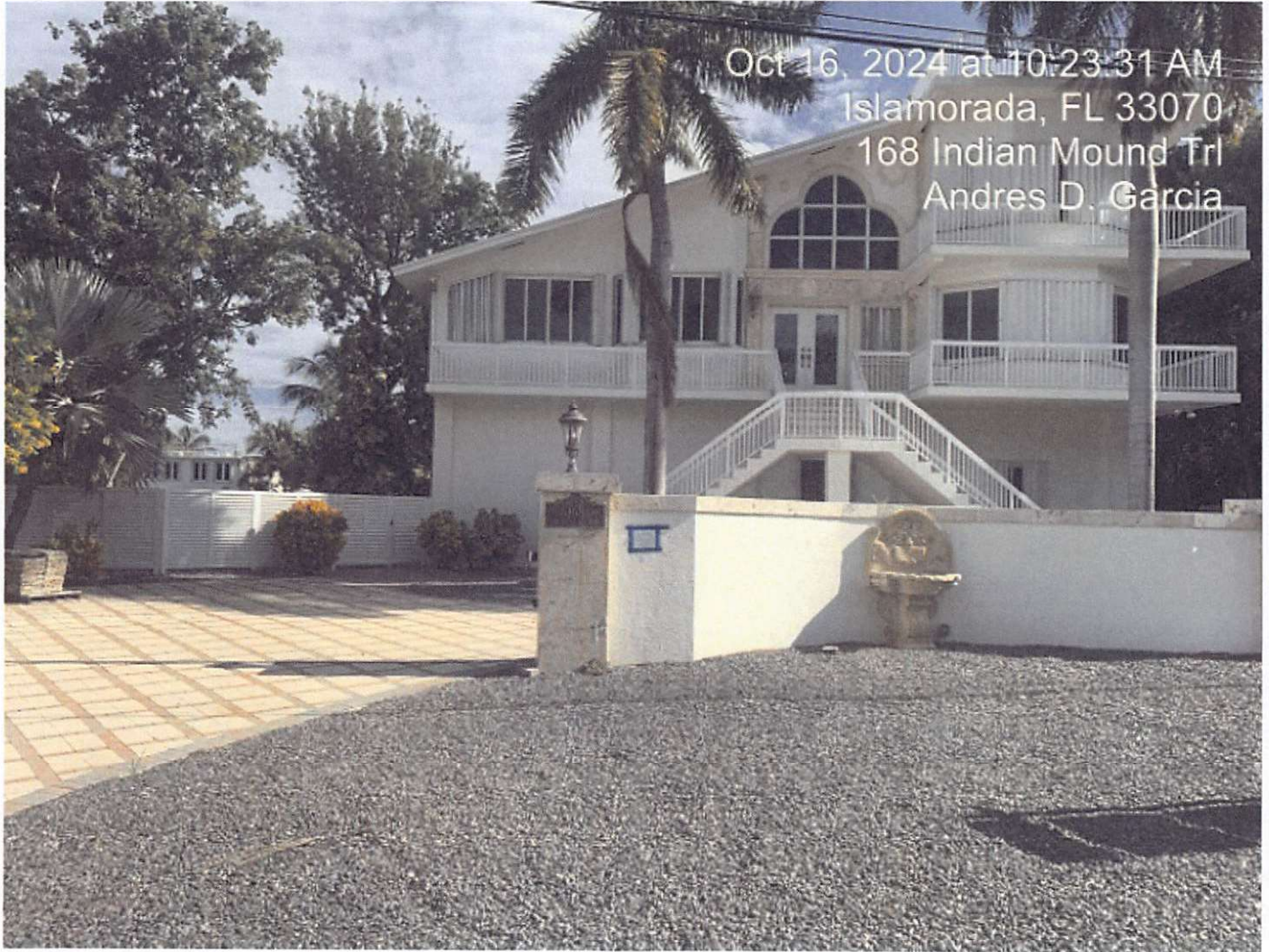
THIS CASE IS NOW SET FOR HEARING BEFORE THE CODE COMPLIANCE HEARING OFFICER, IN ACCORDANCE WITH THE ATTACHED NOTICE, ON:

November 12, 2024 at 2:00 PM

YOU MAY CALL THE CODE COMPLIANCE DEPARTMENT AT (305) 664-6434



Islamorada, Village of Islands
Add to Street View
City Compliance Dept
3305 Overseas Hwy
Islamorada, FL 33036
Call (305) 664-6400
www.islamoradavillage.com



Oct 16, 2024 at 10:23:31 AM
Islamorada, FL 33070
168 Indian Mound Trl
Andres D. Garcia

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael W Hurley
Becky M Hurley
168 Indran Mound Trl
Tavernier FL 33070



9590 9402 8860 4005 4718 25

2. Article Number (Transfer from service label)

7020 0640 0001 0356 0383

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

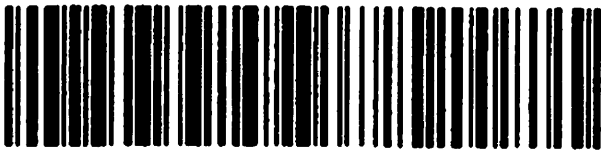
3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

ail Restricted Delivery

Domestic Return Receipt

USPS TRACKING#



9590 9402 8860 4005 4718 25



**First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10**

**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

**Islamorada Village of Islands
Code Enforcement
88800 Overseas Highway
Islamorada, FL 33036**

168 Indian Mound Tr 1

Jul 29, 2024 at 11:20:59 AM
Islamorada, FL 33070
168 Indian Mound Trl
Andres D. Garcia

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS
Petitioner,

CASE NO. CEBDGC202300002

v.

HURLEY MICHAEL W AND HURLEY BECKY M
Respondent

NOTICE OF VIOLATION

Date: July 29, 2024

To: HURLEY MICHAEL W AND HURLEY BECKY M

Re: Violations of the Village Code at

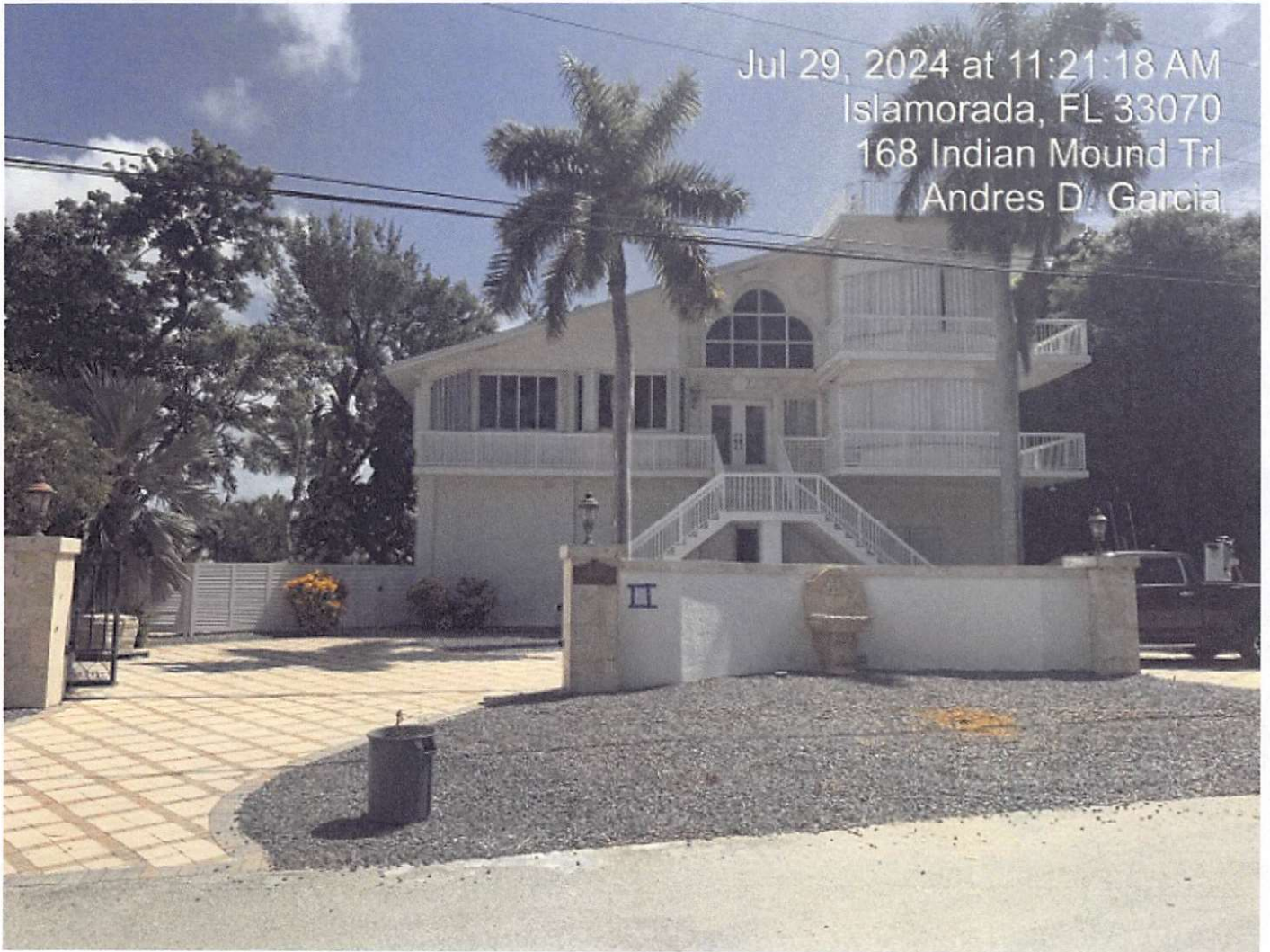
Property Location:	168 INDIAN MOUND TRL
Subdivision:	INDIAN WATERWAYS
Legal Description:	INDIAN WATERWAYS PB4-29 PLANTATION KEY LOTS 12 & 13 BK 7 OR425-609 OR428-454/55 OR803-757 OR808-1252 OR809-2052 OR1132- 1444 OR1132-1448 OR1224-1835AFF OR1301-1800 OR1301-1806AFF RE 42458 COMBINED PER OWNERS REQ 5-31-95 OR1462-1617(27F/J) OR1491-46 OR1661-20NOTICE/HX OR1735-1797/1815F/J OR1743- 553/54Q/C OR1836-2013 OR3182-0484

A review of the Monroe County tax roll indicates that you are the owner(s) of the above-referenced property (the "Property"). Pursuant to Article III, Chapter 2 of the Village Code, the purpose of this notice is to advise you that you are in violation of the Village Code(s).

An investigation on **September 06, 2023**, found the following violation(s):

Section 6-61(a) of the Village Code entitled "Work requiring building permit" which provides that permits are required as provided in the Florida Building Code, and for the

Jul 29, 2024 at 11:21:18 AM
Islamorada, FL 33070
168 Indian Mound Trl
Andres D. Garcia





Islamorada, Village of Islands
 Code Compliance
 86800 Overseas Hwy
 Islamorada, FL 33036

CERTIFIED MAIL



9589 0710 5270 1220 6359



FP [®] **US POSTAGE**
\$009.92⁰

First-Class - IMI
 ZIP 33036

09/05/2024
 036B 0011834630

Michael W Hurley & Becky M Hurley

9-12-24

 9-22-24

168 Indian Mound Trl

Tavernier FL 33070

Attempted
 9/7
 CS

09/05/2024
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 33036316200 *0806-04282-05-46
 33036>3162

Sep 5, 2024 at 10:14:25 AM
Islamorada, FL 33070
168 Indian Mound Trl
Andres D. Garcia

Islamorada, Village of Islands
8680 Overseas Highway
Islamorada, FL 33036
Phone: (305) 664-6400 Fax: (305) 664-6469

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS
Petitioner,

CASE NO. CE8DGC20230000250

v.

HURLEY MICHAEL W AND HURLEY BECKY M
Respondent

NOTICE OF WARNING

Date: September 05, 2024

To: HURLEY MICHAEL W AND HURLEY BECKY M

Re: Violations of the Village Code at

Property Location: 168 INDIAN MOUND TRL

Subdivision: INDIAN WATERWAYS

Parcel ID: 00424590-000000

A review of the Monroe County tax roll indicates that you are the owner(s) of the above-referenced property (the "Property").

Pursuant to Article III, Chapter 2 of the Village Code, you are in violation of Village Ordinance(s). In order to avoid fines and/or a hearing these violations must be resolved by October 07, 2024.

An investigation on **September 6, 2023**, found the following violation(s):

Section 6-61(a) of the Village Code entitled "Work requiring building permit" which provides that permits are required as provided in the Florida Building Code, and for the



Sep 5, 2024 at 10:14:38 AM
Islamorada, FL 33070
168 Indian Mound Trl
Andres D. Garcia

Monroe County, FL

PROPERTY RECORD CARD

Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00424590-000000
 Account# 1522619
 Property ID 1522619
 Millage Group 50VI
 Location 168 INDIAN MOUND Trl, PLANTATION KEY
 Address
 Legal Description INDIAN WATERWAYS PB4-29 PLANTATION KEY LOTS 12 & 13 BK 7 OR425-609 OR428-454/55 OR803-757 OR808-1252 OR809-2052 OR1132-1444 OR1132-1444 OR1224-1835AFF OR1301-1800 OR1301-1806AFF RE 42458 COMBINED PER OWNERS REQ 5-31-95 OR1462-1617/27F/J OR1491-46 OR1661-20NOTICE/HX OR1735-1797/1815F/J OR1743-553/54Q/C OR1836-2013 OR3182-0484
 (Note: Not to be used on legal documents.)
 Neighborhood 1642
 Property Class SINGLE FAMILY RESID (0100)
 Subdivision INDIAN WATERWAYS
 Sec/Twp/Rng 05/63/38
 Affordable No
 Housing



Owner

HURLEY MICHAEL W 168 Indian Mound Trl Tavernier FL 33070
 HURLEY BECKY M 168 Indian Mound Trl Tavernier FL 33070

Valuation

	2024 Certified Values	2023 Certified Values	2022 Certified Values	2021 Certified Values
+ Market Improvement Value	\$1,072,562	\$1,036,964	\$707,683	\$550,282
+ Market Misc Value	\$117,515	\$104,278	\$89,582	\$92,028
+ Market Land Value	\$1,372,605	\$1,176,278	\$879,315	\$546,568
= Just Market Value	\$2,562,682	\$2,317,520	\$1,676,580	\$1,188,878
= Total Assessed Value	\$1,896,306	\$1,841,074	\$1,307,766	\$1,188,878
- School Exempt Value	(\$25,000)	(\$25,000)	\$0	\$0
= School Taxable Value	\$1,871,306	\$1,816,074	\$1,676,580	\$1,188,878

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2024	\$1,372,605	\$1,072,562	\$117,515	\$2,562,682	\$1,896,306	\$25,000	\$1,871,306	\$500,000
2023	\$1,176,278	\$1,036,964	\$104,278	\$2,317,520	\$1,841,074	\$25,000	\$1,816,074	\$476,446
2022	\$879,315	\$707,683	\$89,582	\$1,676,580	\$1,307,766	\$0	\$1,676,580	\$0
2021	\$546,568	\$550,282	\$92,028	\$1,188,878	\$1,188,878	\$0	\$1,188,878	\$0
2020	\$507,468	\$563,703	\$94,474	\$1,165,645	\$1,165,645	\$0	\$1,165,645	\$0
2019	\$497,568	\$570,414	\$96,919	\$1,164,901	\$689,415	\$25,000	\$664,415	\$475,486
2018	\$497,568	\$429,490	\$21,068	\$948,126	\$676,561	\$25,000	\$651,561	\$271,565

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL CANAL (010C)	7,450.00	Square Foot	0	0
RESIDENTIAL DRY (010D)	6,600.00	Square Foot	0	0

Buildings

Building ID	23106	Exterior Walls	C.B.S.
Style	STILT 2 STORY	Year Built	1992
Building Type	S.F.R. - R1 / R1	EffectiveYearBuilt	2010
Building Name		Foundation	CONC PILINGS
Gross Sq Ft	4529	Roof Type	IRR/CUSTOM
Finished Sq Ft	3204	Roof Coverage	MIN/PAINT CONC
Stories	3 Floor	Flooring Type	CERM/CLAY TILE
Condition	GOOD	Heating Type	FCD/AIR DUCTED with 0% NONE
Perimeter	416	Bedrooms	4
Functional Obs	0	Full Bathrooms	3
Economic Obs	0	Half Bathrooms	0
Depreciation %	16	Grade	750
Interior Walls	DRYWALL	Number of Fire Pl	0

Code	Description	Sketch Area	Finished Area	Perimeter
CPF	COVERED PARKING FIN	720	0	0
OPX	EXC OPEN PORCH	39	0	0
SPX	EXEC SC PORCH	129	0	0
FLA	FLOOR LIV AREA	3,204	3,204	0
OUU	OP PR UNFIN UL	292	0	0
OUF	OP PRCH FIN UL	145	0	0
TOTAL		4,529	3,204	0

Yard Items

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
UTILITY BLDG	1992	1993	10 x 10	1	100 SF	2
FENCES	1997	1998	6 x 270	1	1620 SF	2
FENCES	1997	1998	4 x 80	1	320 SF	2
FENCES	1997	1998	5 x 150	1	750 SF	2
BRICK PATIO	2004	2013	0 x 0	1	1600 SF	1
WROUGHT IRON	2012	2013	6 x 30	1	180 SF	5
FENCES	2004	2013	5 x 120	1	600 SF	3
WATER FEATURE	2004	2019	0 x 0	1	1 UT	5
CUSTOM POOL	2004	2019	22 x 32	1	704 SF	5
BOAT LIFT	2023	2024	0 x 0	1	1 UT	4

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
6/30/2022	\$2,800,000	Warranty Deed	2381993	3182	0484	01 - Qualified	Improved		
11/21/2002	\$730,000	Warranty Deed		1836	2013	Q - Qualified	Improved		
12/1/1997	\$387,500	Warranty Deed		1491	0046	Q - Qualified	Improved		
4/1/1994	\$375,000	Warranty Deed		1301	1800	Z - Unqualified	Improved		
5/1/1990	\$47,000	Warranty Deed		1132	1448	Q - Qualified	Vacant		
3/1/1980	\$27,500	Warranty Deed		808	1252	Q - Qualified	Vacant		
12/1/1979	\$22,500	Conversion Code		803	757	Q - Qualified	Vacant		

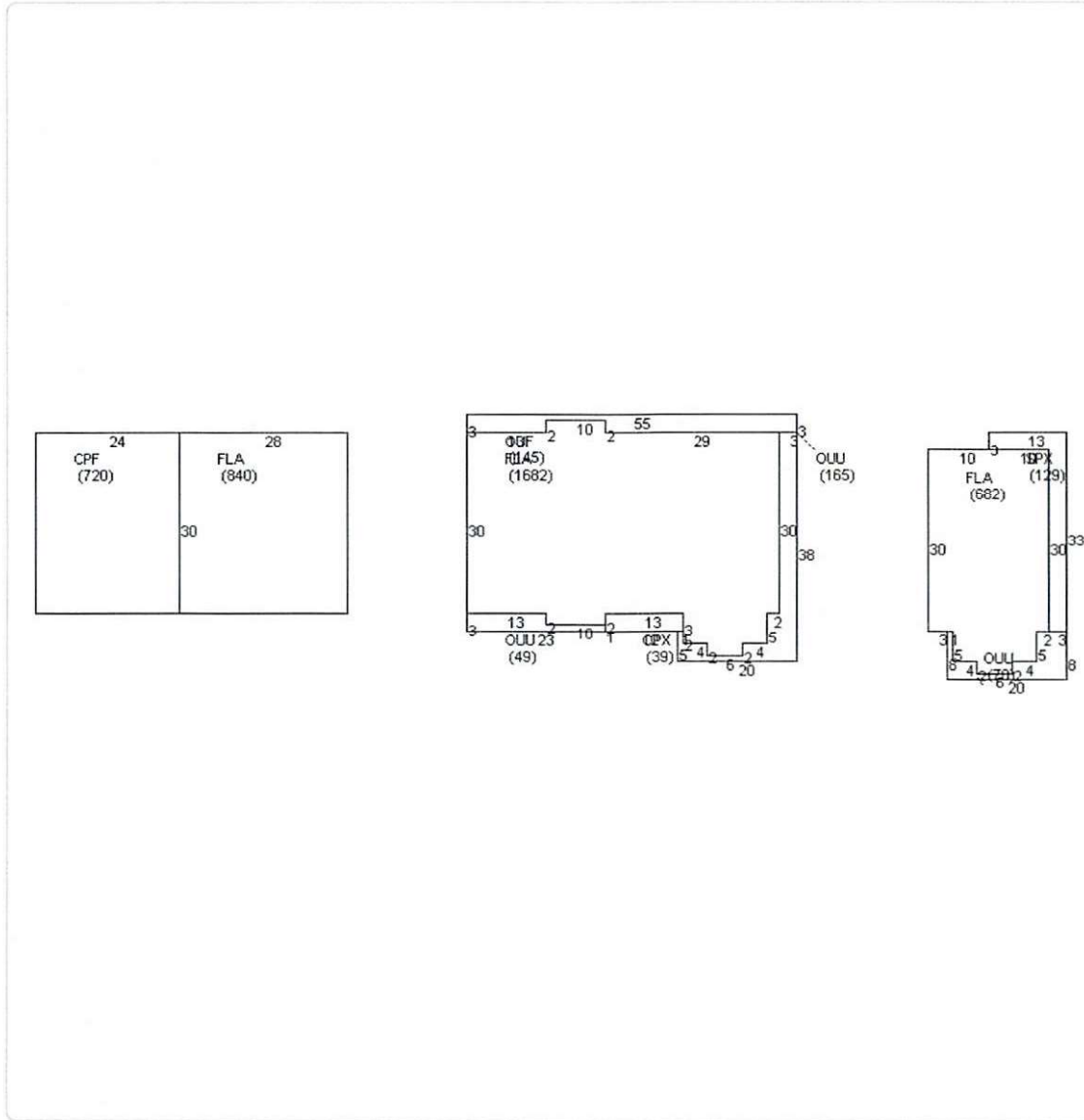
Permits

Number ⇅	Date Issued ⇅	Date Completed ⇅	Amount ⇅	Permit Type ⇅	Notes ⇅
PRBLD202201312	11/28/2022	10/21/2023	\$5,000	Residential	INSTALL USED 16K BOAT LIFT
PRBLD202100712	6/18/2021	7/1/2021	\$2,400	Residential	REPLACE FRONT DOOR
PRBLD201801783	8/6/2018	12/13/2018	\$1,600	Residential	R/R DOOR (IMPACT)
201200276	5/2/2012	11/29/2012	\$1		RE-ROOF
0300855	6/25/2003	12/31/2003	\$1		POOL
0300868	6/9/2003	12/31/2003	\$1		ENCLOSURE
0300177	2/7/2003	11/29/2012	\$1		FENCE W/GATE
0300095	2/4/2003	11/29/2012	\$1		PAVER DRIVEWAY & PATIO
0300064	1/24/2003	11/29/2012	\$1		WOOD FENCE
9801538	6/17/1998	1/1/1999	\$8,000	Residential	REMODELING
9703849	12/17/1997	11/29/2012	\$4,500	Residential	FENCE & PRIVACY WALL

View Tax Info

[View Taxes for this Parcel](#)

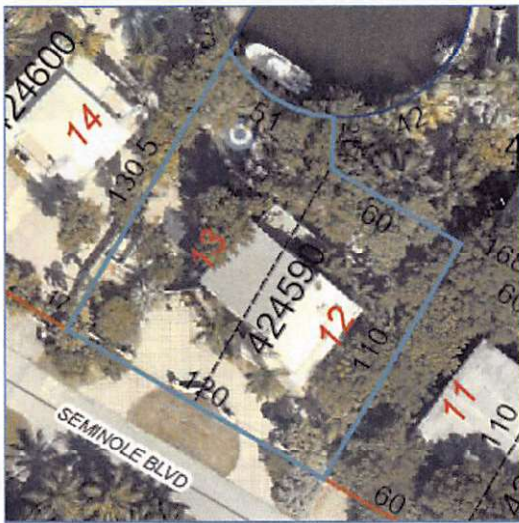
Sketches (click to enlarge)



Photos



Map



TRIM Notice

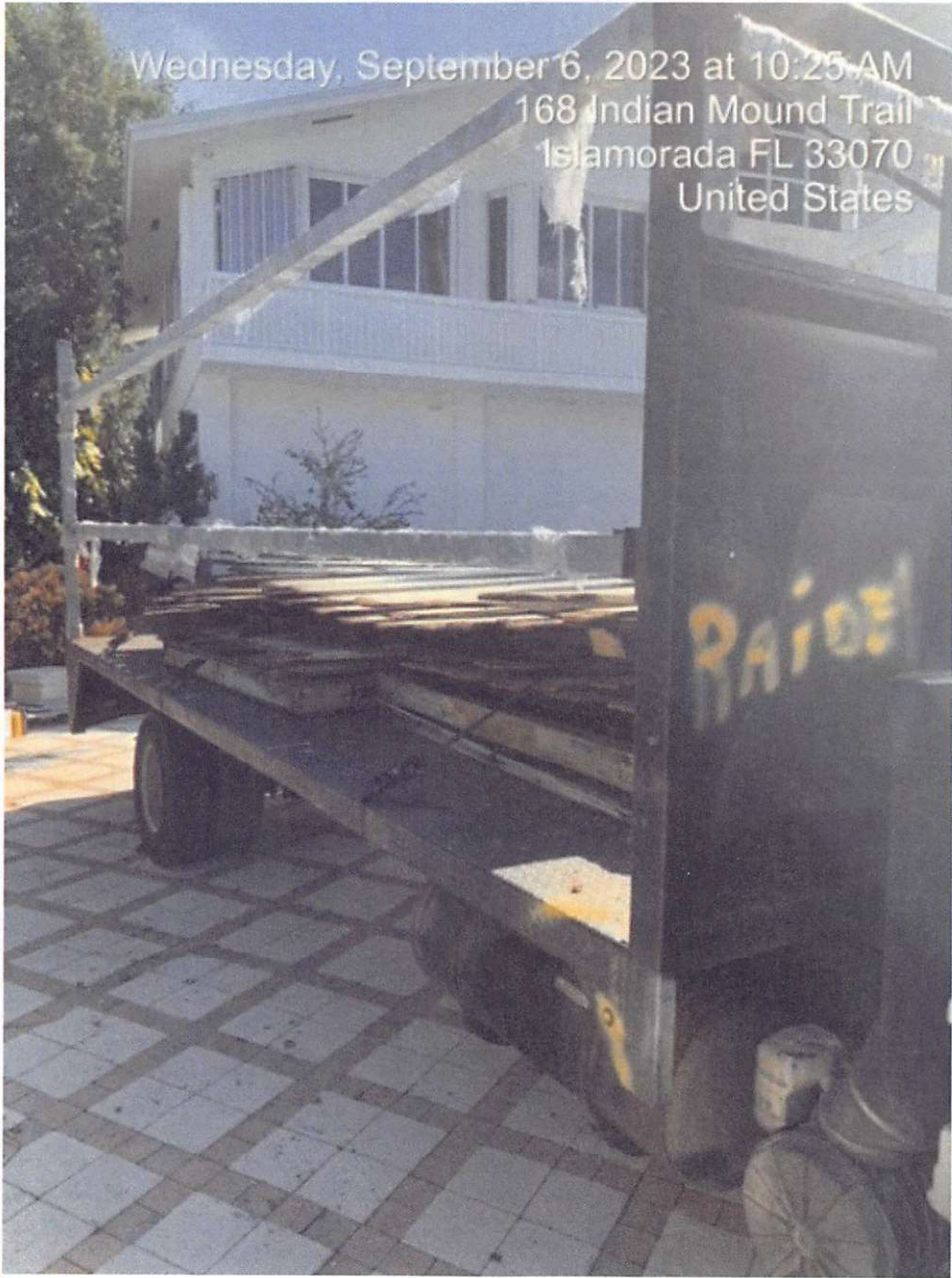
[2024 TRIM Notice \(PDF\)](#)

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the

[User Privacy Policy](#) | [GDPR Privacy Notice](#)
 Last Data Upload: 10/24/2024, 6:32:40 AM

Contact Us





Wednesday, September 6, 2023 at 10:25 AM
168 Indian Mound Trail
Islamorada FL 33070
United States



Wednesday, September 6, 2023 at 10:25 AM
168 Indian Mound Trail
Islamorada FL 33070
United States



Wednesday, September 6, 2023 at 10:29 AM

101-181 Seminole Blvd

Islamorada FL 33070

United States



Tavernier, Florida

Google Street View

Jun 2023 See more dates



Image capture Jun 2023 © 2024 Google

Mar 5, 2024 at 10:09:01 AM
168 Indian Mound Trail
Islamorada FL 33070
United States



Mar 5, 2024 at 10:09:09 AM
168 Indian Mound Trail
Islamorada FL 33070
United States



Oct 16, 2024 at 10:23:33 AM
Islamorada, FL 33070
168 Indian Mound Trl
Andres D. Garcia



Oct 16, 2024 at 10:23:47 AM
Islamorada, FL 33070
168 Indian Mound Trl
Andres D. Garcia



Andres Garcia

From: CityView@islamorada.fl.us
Sent: Tuesday, March 5, 2024 12:45 AM
To: becky@exceptionalwildlife.com; becky@xceptionalwildlife.com;
becky@xceptionalwildlife.com
Cc: Evelyn Fraley
Subject: Abandoned Permit Application
Categories: CityView Permitting Attachment

Please be advised that permit application PRBLD202300968 has been waiting for documents to complete your application process for more than 180 days. Pursuant to Section 6 – 31(a) of the Village Code and Florida Building Code, 2020 7th Edition, Section 105.3.2, your permit application is considered abandoned.

Please note, the permit application and associated plans will be destroyed, and all deposits paid toward this permit will be forfeited. Should you wish to proceed with this project, you must submit a new application, deposit, plans, and all required documentation.

If you have any questions, you may contact the Building Services Coordinator at evelyn.fraley@islamorada.fl.us or (305) 664-6436.

This email was sent from Islamorada CityView PRODUCTION.

*How are we doing? Click

here<<https://docs.google.com/forms/d/1sYlj7HveD1qhxIB94pRwaqpwnZzE0vB2dtsp89NcvQ/viewform>> to complete our Customer Survey*

Please Note: Florida Public Records Law provides that most written communications to or from municipal employees regarding Village business are public records, available to the public and media upon request. Therefore, this email may be subject to public disclosure.

Andres Garcia

From: CityView@islamorada.fl.us
Sent: Wednesday, June 19, 2024 3:00 AM
To: becky@xceptionalwildlife.com; southernmostfence@gmail.com;
southernmostfence@gmail.com
Cc: Evelyn Fraley
Subject: Abandoned Waiting for Corrections
Categories: CityView Permitting Attachment

Please be advised that permit application PRBLD202301256 has been on hold, pending corrections for more than 180 days. Pursuant to Section 6 – 31(a) of the Village Code and Florida Building Code, 2020 7th Edition, Section 105.3.2, your permit application is hereby considered abandoned.

Please note, the permit application and associated plans will be destroyed, and all deposits paid toward this permit will be forfeited. Should you wish to proceed with this project, you must submit a new application, deposit, plans, and all required documentation.

If you have any questions, you may contact the Building Services Coordinator at evelyn.fraley@islamorada.fl.us or (305) 664-6436.

This email was sent from Islamorada CityView PRODUCTION.

*How are we doing? Click

here<<https://docs.google.com/forms/d/1sYlj7HveD1qhxlB94pRwaqpwnZzE0vB2dtsp89NcvQ/viewform>> to complete our Customer Survey*

Please Note: Florida Public Records Law provides that most written communications to or from municipal employees regarding Village business are public records, available to the public and media upon request. Therefore, this email may be subject to public disclosure.

Andres Garcia

From: Andres Garcia
Sent: Wednesday, September 4, 2024 10:37 AM
To: 'southernmostfence@gmail.com'
Subject: Case: CEBDGC20230000250 - Property: 168 Indian Mound Trl
Attachments: Abandoned Waiting for Corrections; Abandoned Permit Application

Categories: CityView Code Enforcement Attachment

Greetings, Southernmost Fence LLC.

My name is Andres Garcia, Code Compliance Officer for the Village of Islamorada. I retrieved your contact information from the permitting application records we have on file.

Based on our records, you were the primary contractor assigned to install a white aluminum louvered fence under permit # PRBLD202301256 for the property mentioned above.

The permit was never issued; therefore, it became abandoned.

Attached, you will find an abandoned application notification sent to the property owner and your company earlier this year.

Please reactivate the permit, have it issued, inspected, and closed for the code compliance case mentioned above to become partially in compliance.

To reach complete compliance, I must inform you that the additional permit #PRBLD202300968 to install a swimming pool protection fence, also in abandoned status, needs to be reactivated, issued, inspected, and closed. Records show this permit application was done as an owner-builder, and your company does not seem to be involved in this one. But it still needs to be resolved. I have also attached an incomplete application notice issued to the owner as well.

I will be conducting a case review later next week (between Thursday the 12th and Friday the 13th) to verify the application status.

Any questions, comments, or concerns, please do not hesitate to contact me. My information lies below in my signature.

Sincerely and all the best,



Andres David Garcia
Code Compliance Officer

Islamorada – Village of Islands
Code Compliance Department
Village Administrative Center
86800 Overseas Highway 2nd Floor
Islamorada, FL 33036
Office: (305) 664-6434
Website: <https://www.islamorada.fl.us/>

Florida Public Records Law provides that most written communications to or from municipal employees regarding Village business are public records, available to the public and media upon request. Therefore, this email may be subject to public disclosure.

The Florida Legislature adopted, and the governor signed into law, effective July 1, 2021, an amendment to F.S. 162.21 and F.S. 166.0415, that prohibits a code inspector from initiating an investigation of a potential violation by way of an anonymous complaint. To investigate, complainant must have provided the complainant's name and address with the complaint to the "governing body" before an investigation occurs. The only exception is if there is reason for the investigator to believe a present and imminent threat to the public health, safety and welfare or imminent destruction of habitat or sensitive resources has or is occurring.

****How are we doing? Click [here](#) to complete our Customer Survey****

Andres Garcia

From: Andres Garcia
Sent: Wednesday, October 16, 2024 4:25 PM
To: becky@xceptionalwildlife.com
Subject: Case: CEBDGC20230000250 Notice of Hearing - 168 Indian Mound Trl (Plantation Key)
Attachments: Notice of Hearing-Summons (NOH-S).pdf

Categories: CityView Code Enforcement Attachment

Good afternoon, Mr. & Mrs. Hurley.

I hope this email finds you well.

Please be informed that a Special Magistrate Hearing is set to take place on Tuesday, November 12, 2024, at 2 pm at the Islamorada Village Hall, 3rd Floor. The address is in the notice and below in my signature.

A copy of the attached notice has been issued via certified mail and posted on the property today.

This hearing is about the open case for the property under your care mentioned above. The corrective action is to reopen and close the abandoned permit applications #PRBLD202300968 and #PRBLD202301256.

For permitting guidance if needed, please contact the Village Planning & Zoning Department at (305) 664-6426 and the Building Services Department at (305) 664-6437.

Sincerely and all the best,



Andres David Garcia
Code Compliance Officer
Islamorada – Village of Islands
Code Compliance Department
Village Administrative Center
86800 Overseas Highway 2nd Floor
Islamorada, FL 33036
Office: (305) 664-6434
Website: <https://www.islamorada.fl.us/>

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occurs. The only exception is if there is reason for the investigator to believe a present and imminent threat to the public health, safety and welfare or imminent destruction of habitat or sensitive resources has or is occurring.

****How are we doing? Click [here](#) to complete our Customer Survey****



CODE COMPLIANCE HEARING

Hearing Date: November 12, 2024

Case Number: **CEBDGC20220000250**

**Islamorada Village of Islands v. Victor Gircy's
Motion To Extend Compliance Deadline**

Property Information:

103 Sunshine Blvd. / Ham Seafood
Parcel ID 00434700-000000

Case Background:

On September 10, 2024 This case came before the Islamorada, Village of Islands Code Compliance Hearing Officer. The Hearing Officer affirmed the decision of the Code Compliance Officer and found the Violator to be in violation of Section 30-927 of the Village Code entitled "Temporary storage units permitted".

The order stipulated that the Violator shall comply with Section 30-927 as referred to in paragraph 3 of the order within 35 days from the date of the signed order. A \$125.00 administrative fee was also to be paid within 35 days of the signed order. The order was signed on September 20, 2024, making the all compliance date October 25, 2024.

Copies of the signed order were sent by certified mail return receipt to the property owner (Victor Gircy's) and via e-mail to the tenant, HAM Seafood (Jose Martinez) The Order was recorded with the Clerk of the Court on September 27, 2024.

On October 16, 2024 a Motion to Extend Compliance Deadline 30 additional days was received via email from attorney David Hutchinson on behalf of property owner Victor Gircys.

On October 28, 2024 the property was reinspected and violations were still not corrected. Notice of Hearing and Affidavit on non-compliance were completed the same day, mailed certified mail and via e-mail to attorney David Hutchinson and tenant, Jose Martinez. Posting notices were placed at the property and at Village Hall on October 28, 2024.

On October 28, 2024 Jose Martinez (tenant) paid the \$125.00 administrative fee. Mr Martinez also called me and I explained the outstanding violations and made him aware of the hearing date.

Exhibits:

1. 103 Sunshine case file

Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036
Phone: (305) 664-6400 Fax: (305) 664-6469

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS

CASE NO.: CEBDGC20220000250

Petitioner,

v.

GIRCYS VICTOR

Respondent.

NOTICE OF HEARING

To: GIRCYS VICTOR

Re: Violations of the Village Code at

Property Location:	103 SUNSHINE BLVD, ISLAMORADA, FLORIDA 33036
Subdivision:	
Legal Description:	BK 1 LT 14 AND E 10 FT LOT 15 SUNSHINE ESTATES SEC 1 PLANTATION KEY PB4-63 OR228-456/57 OR332-205/06 OR1317-1713

Date and Factual Description of Violation(s):

On Monday, June 27, 2022, an unpermitted conax (metal) storage container was documented at this location. An ATF temporary use permit is required.

Section 30-927 of the Village Code entitled " Temporary storage units permitted" which provides that Section 105, Chapter 1 of the 2017 Florida Building Code (FBC) 6th Edition states that any owner or authorized representative who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any required impact-resistant coverings, electrical, gas, mechanical or plumbing system, they shall first make application to the building official and obtain the required permit.

On September 10, 2024, this matter came before the Islamorada Village of Islands Code Compliance Hearing Officer. The Hearing Officer affirmed the decision of the Code Compliance Officer and found the violator to be in violation of Section 30-927. The violator was ordered to comply within 35 days (October 25, 2024) of the signed order and pay the administrative fee of \$125.00.

On Monday October 28, 2024, I reinspected the property and violations were not corrected. The administrative fee was also not paid as required. Affidavit of Non-Compliance was completed the same day.

You are hereby ordered to appear before the Village Code Compliance Hearing Officer ("Hearing Officer") for a public hearing to address the above violation(s) of the Village Code. This public hearing will be held **Tuesday, November 12th, 2024, at 2:00 PM at Islamorada, Village of Islands Village Hall, 86800 Overseas Highway, 3rd Floor Conference Room, Islamorada, Florida 33036**

In the event the Hearing Officer finds you in violation, the Hearing Officer may levy fines of up to \$250.00 per day for a first violation, up to \$500.00 per day for a repeat violation, or up to \$500.00 per violation for a Citation, against you and your Property for every day that any violation continues beyond the compliance date set in the Notice of Violation or Citation issued by the Code Compliance Officer. If the Hearing Officer finds that the violation is irreparable or irreversible in nature, the Hearing Officer may impose a fine of up to \$5,000.00. If the violation is corrected and then reoccurs, or if the violation is not corrected by the time specified for correction by the Code Compliance Officer, the case may be presented to the Hearing Officer even if the violation has been corrected prior to the hearing. You may also be liable for the costs of repairs and the reasonable administrative hearing costs in an amount no less than \$125.00, if found in violation of the Village Code. A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien against the Property and upon any other non-exempt real or personal property you own. The lien may result in a foreclosure of your property and a money judgment against you.

It is your responsibility to request a re-inspection of the Property and Village records, as applicable, to determine whether you complied with this notice of violation, by calling the Code Compliance Officer at (305) 664-6428.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you at this hearing. You will also have the opportunity to present witnesses as well as question the witnesses against you before the Hearing Officer makes a determination. If you wish to present exhibits at the hearing, please bring four (4) copies of each exhibit. Failure to attend the hearing or a finding of a violation may result in a civil penalty and administrative hearing costs assessed against you.

Requests for continuances will not be considered if not received by the Hearing Officer at least ten (10) calendar days before the date set for the hearing.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Hearing Officer, with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the ADA Coordinator at ADA@islamorada.fl.us or by phone at (305) 664-6448 at least five (5) days prior to the hearing.

PLEASE GOVERN YOURSELF ACCORDINGLY.



Paul Minning
Senior Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6428
E-mail: paul.minning@islamorada.fl.us

Certificate of Service

I, Paul Minning, do hereby certify that a true and correct copy of the foregoing has been furnished via: Posted on property at 103 Sunshine Blvd. also via email to Victor Gircys attorney David Hutchinson and via email to tenant Jose Martinez. on October 28, 2024.



Paul Minning
Senior Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6428
E-mail: paul.minning@islamorada.fl.us

Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036
Phone: (305) 664-6400 Fax: (305) 664-6469

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS
Petitioner,

CASE NO. CEBDGC20220000250

v.

GIRCYS VICTOR
Respondent.

AFFIDAVIT OF POSTING

I, Paul Minning, Code Compliance Officer for Islamorada, Village of Islands, Florida who, after being duly sworn, hereby deposes and says:

1. I am a Code Compliance Officer employed by Islamorada, Village of Islands, Florida.
2. On Monday, October 28, 2024, I mailed a copy of the attached Notice of Hearing ("Notice") via certified mail, return receipt requested 9589 0710 5270 2025 4117 to GIRCYS VICTOR PO BOX 1395 ISLAMORADA, FL 33036. A copy of the Notice is attached as Exhibit A.
3. On Monday, October 28, 2024, I posted a copy of the attached Notice and a Posting Notice on the following described property located at 103 SUNSHINE BLVD, Plantation Key, Florida and a copy of said Notice and a Posting Notice (copy attached) at Village Hall located at 86800 Overseas Highway, Islamorada, Florida 33036. Notices and photographic evidence of the property posting are attached as Exhibit B.

Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036
Phone: (305) 664-6400 Fax: (305) 664-6469

POSTING NOTICE

CODE COMPLIANCE

CEBDGC20220000250
CASE NUMBER

Monday, October 28, 2024
DATE OF POSTING

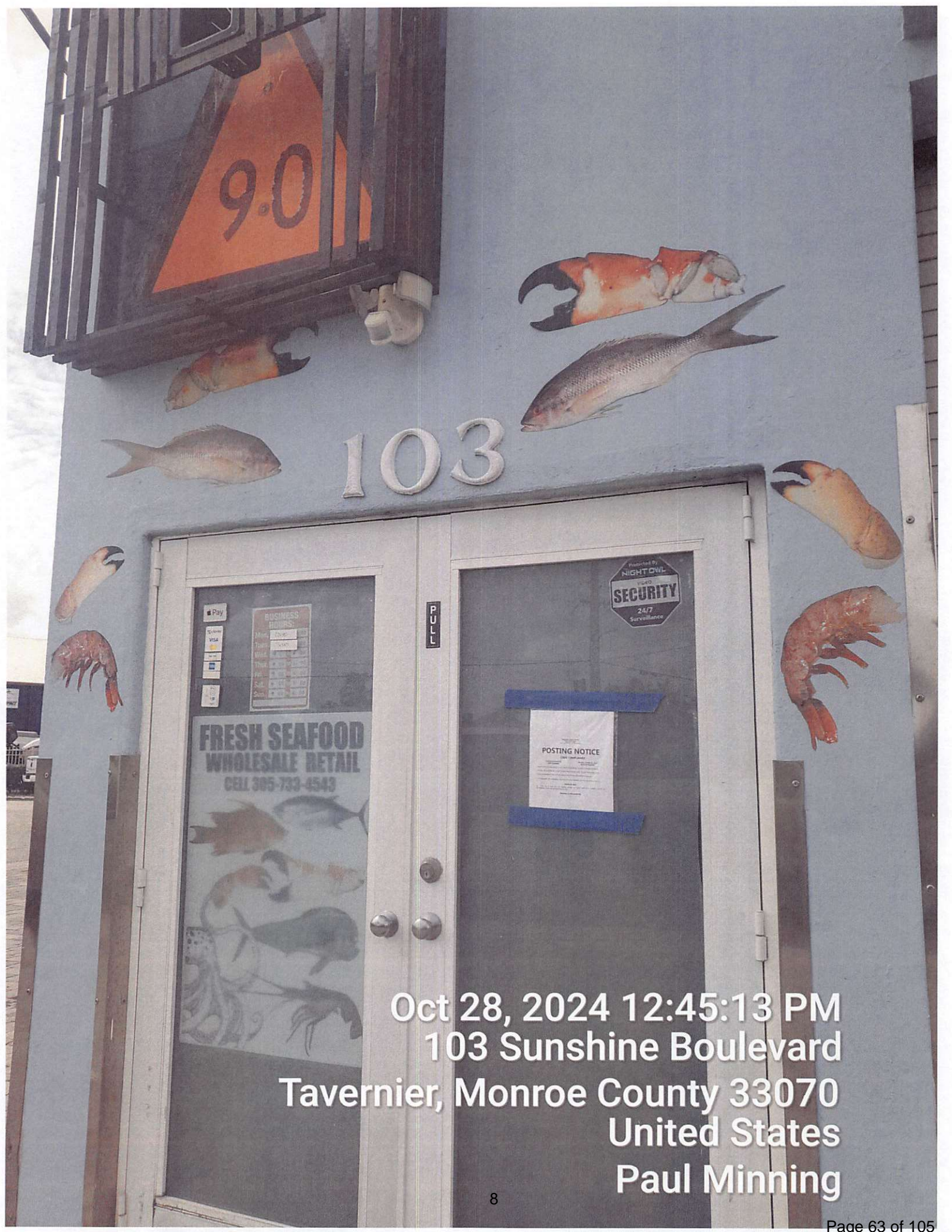
THE PROPERTY IS IN VIOLATION OF THE CODE OF ISLAMORADA, VILLAGE OF ISLANDS. ATTEMPTS TO SERVE THE ATTACHED NOTICE BY CERTIFIED MAIL AND/OR HAND DELIVERY WERE MADE PRIOR TO OR CONCURRENTLY WITH THE POSTING OF THIS NOTICE. ACCORDINGLY (check one):

THE DEADLINE FOR COMPLIANCE WITH THE ATTACHED WARNING OR CIVIL VIOLATION NOTICE IS:

October 25, 2024

X THIS CASE IS NOW SET FOR HEARING BEFORE THE CODE COMPLIANCE HEARING OFFICER, IN ACCORDANCE WITH THE ATTACHED NOTICE, ON:

November 12, 2024 at 2:00 PM



Oct 28, 2024 12:45:13 PM
103 Sunshine Boulevard
Tavernier, Monroe County 33070
United States
Paul Minning

103



PC

SEAFOOD
RETAIL
4543

POSTING NOTICE
CODE COMPLIANCE

Oct 28, 2024 12:45:09 PM
103 Sunshine Boulevard
Tavernier, Monroe County 33070
United States
Paul Minning



Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00434700-000000
 Account# 1532509
 Property ID 1532509
 Millage Group 50VI
 Location 103 SUNSHINE Blvd, PLANTATION KEY
 Address
 Legal BK 1 LT 14 AND E 10 FT LOT 15 SUNSHINE ESTATES SEC 1 PLANTATION KEY PB4-63
 Description OR28-456/57 OR332-205/06 OR1317-1713
 (Note: Not to be used on legal documents.)
 Neighborhood 10020
 Property RETAIL-SINGLE TENANT (1100)
 Class
 Subdivision SUNSHINE ESTATES SEC #1
 Sec/Twp/Rng 32/62/38
 Affordable No
 Housing



Owner

GIRCYS VICTOR
 PO Box 1395
 Islamorada FL 33036

Valuation

	2021	2020	2019	2018
+ Market Improvement Value	\$109,526	\$113,966	\$99,101	\$94,323
+ Market Misc Value	\$49,878	\$51,371	\$52,867	\$52,722
+ Market Land Value	\$378,562	\$378,562	\$347,015	\$379,730
= Just Market Value	\$537,966	\$543,899	\$498,983	\$526,775
= Total Assessed Value	\$327,064	\$297,331	\$270,301	\$245,729
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$537,966	\$543,899	\$498,983	\$526,775

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(1100)	11,684.00	Square Foot	0	0

This instrument prepared by and after recording return to:
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, Florida 33036
Attn: Code Compliance Officer

Filed and Recorded in Official Records of
MONROE COUNTY KEVIN MADOK, CPA

**ISLAMORADA VILLAGE OF ISLANDS, FLORIDA
CODE COMPLIANCE HEARING OFFICER**

ISLAMORADA, VILLAGE OF ISLANDS

Case No. CEBDGC20220000250

Petitioner,

v.

VICTOR GIRCYS

Respondent.

ORDER IMPOSING CIVIL PENALTIES

This matter came before the Islamorada, Village of Islands ("Village") Code Compliance Hearing Officer ("Hearing Officer") on September 10, 2024. Having heard testimony and based on the evidence presented, the Hearing Officer enters the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The subject property is located at 103 SUNSHINE Blvd, Islamorada, FL 333036, having Monroe County Property Appraiser's Real Estate Parcel ID number 00434700-000000 and legally described as:

Lot 14, and the East 10 feet of Lot 15, Block 1, SUNSHINE ESTATES SUBDIVISION, Section 1, according to the Plat thereof as recorded in Plat Book 4, at Page 63, of the Public Records of Monroe County, Florida (the "Property").

2. VICTOR GIRCYS ("Violator") is the owner of the Property and is responsible for the violation on the Property that is the subject of this code compliance action.
3. The Hearing Officer affirms the decision of the Code Compliance Officer and finds the Violator to be in violation of Section 30-927 of the Village Code entitled "Temporary storage units permitted."

ORDER

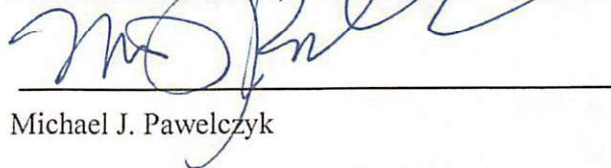
It is hereby ORDERED, that:

4. The Violator shall comply with code Section 30-927 as referred to in paragraph 3 of this order within 35 days from the date of this signed Order.

5. The Violator shall pay administrative costs of \$125.00 within 35 days from the date of this signed Order.
6. If the Violator fails to timely correct the violation within the time period specified by this Order, the Violator shall pay a fine of \$250.00 per day until the violation is corrected.
7. **It is the responsibility of the Violator to arrange for a re-inspection of the Property and Village records, as applicable, to determine compliance with this Order.**
8. A certified copy of this order may be recorded in the Public Records of Monroe County, Florida, and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the Violators and, if the violation concerns real property, any subsequent purchasers, successors in interest or assigns. If the Violators do not bring the violation into compliance with this Order within the time specified, the Hearing Officer may enter an Order Imposing Fine. A certified copy of an Order Imposing Fine may be recorded in the Public Records of Monroe County, Florida, and once recorded shall constitute a lien against the property upon which the violation exists and upon any other real or personal property owned by the Violators.

DONE AND ORDERED at Islamorada, Village of Islands, Monroe County, Florida, on this 10th day of September 2024.

CODE COMPLIANCE HEARING OFFICER
FOR ISLAMORADA, VILLAGE OF ISLANDS



Michael J. Pawelczyk

Order Signed: Sept. 20, 2024

PURSUANT TO SECTION 2-121 OF THE VILLAGE CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MONROE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of this order was filed with the Monroe County Clerk of Court on this 27 day of SEPTEMBER, 2024 and that, on the same date, a true and correct copy of the foregoing order was sent via mailed faxed and mailed hand delivered, emailed to the person listed below:

JOSE MARTINEZ VIA E-MAIL HAMSEAFOD@YAHOO.COM
VICTOR GIRCY'S CERTIFIED E-MAIL

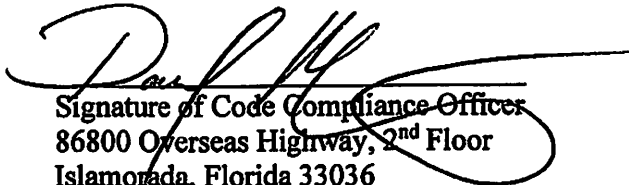
Other party or his/her attorney:

Fax Number: _____

Email: HAMSEAFOD@YAHOO.COM

Certified Mail Return Receipt: 9589 070 5270 2052 4117

Confirmation Number (if applicable): _____


Signature of Code Compliance Officer
86800 Overseas Highway, 2nd Floor
Islamorada, Florida 33036
Telephone Number: 305-664-6435

9589 0710 5270 2052 4117 25

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com


OFFICIAL USE

Certified Mail Fee	
Extra Services & Fees (check box, add fee as appropriate)	\$
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To Victoria Gray's
 Street and Apt. No., or PO Box 100
 City, State, ZIP+4® ISLAMORADA, FL 33056

PS Form 3800, January 2013 PSN 7530-02-000-9017 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>																	
<p>1. Article addressed to:</p> <p style="text-align: center;"><i>VICTOR GREY'S</i> <i>P.O. BOX 1395</i> <i>ISLAMORADA, FL 33036</i></p> <div style="text-align: center;">  9590 9402 8990 4064 7565 98 </div>	<p>B. Received by (Printed Name) <i>VICTOR GREY'S</i></p>	<p>C. Date of Delivery <i>10-7-24</i></p>																
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">9589 0710 5270 2052 4117 25</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Mail Restricted Delivery (00)</td> <td></td> </tr> </table>		<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Collect on Delivery Restricted Delivery		<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Mail Restricted Delivery (00)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																	
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**ISLAMORADA VILLAGE OF ISLANDS, FLORIDA
CODE COMPLIANCE HEARING OFFICER**

ISLAMORADA, VILLAGE OF ISLANDS

Case No. CEBDGC20220000250

Petitioner,

v.

VICTOR GIRCYS

Respondent/Landlord.

_____ /

MOTION TO EXTEND COMPLIANCE DEADLINE

COMES NOW, Respondent/Landlord, Victor Gircys, by and through undersigned counsel and files this Motion to Extend Compliance Deadline and as grounds thereof states the following:

1. Landlord, Victor Gircys, was cited by the Village of Islamorada on September 27, 2024, and required to bring the property into compliance with section 30.927 of the village code, as referred to in paragraph 3 of the signed order imposing civil penalties, within 35 days.
2. The entire violation was a result of the business practices of the Tenant.
3. The Landlord is bringing the property into compliance and should complete the process within the next 10 days.
4. Although Landlord has made significant progress in bringing the property into compliance, he may be unable to complete the entire process by the compliance date of October 25, 2024.

WHEREFORE, Landlord, Victor Gircys, asks this tribunal to extend the compliance date by an additional 30 days and/or reduce any fine that might be assessed by that amount allowed by village ordinance.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided electronic mail on the 16th day of October 2024.

By: /s/ David G. Hutchison
David G. Hutchison, Esq.
Fla. Bar No. 997420
info@floridakeyslegal.com
HUTCHISON & TUBIANA, PLLC
P.O. Box 1262
Key Largo, FL 33037
Tel. (305) 451-0013
Fax (305) 451-0024

Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036
Phone: (305) 664-6400 Fax: (305) 664-6469

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS
Petitioner,

CASE NO. CEBDGC20220000250

v.

GIRCYS VICTOR
Respondent.

AFFIDAVIT OF NON-COMPLIANCE

I, Paul Minning, Code Compliance Officer for Islamorada, Village of Islands, Florida who, after being duly sworn, hereby deposes and says:

On, September 10, 2024 the Hearing Officer for the Village (the "Hearing Officer"), held a public hearing and issued an Order Imposing Civil Penalties Upon Default (the "Order").

Pursuant to the Order, GIRCYS VICTOR>, (the "Respondent"), was to have taken certain corrective action and pay an administrative fee of one hundred twenty-five dollars (\$125.00) within (35) days from the date of the Order.

On Monday, October 28, 2024, I performed a re-inspection of the property located at 103 SUNSHINE BLVD, Plantation Key, Florida 33036 (the "Property") which revealed that the Respondent has not complied with the following sections of the Village Code of Ordinances and the Order as follows:

- a. The Respondent has **not complied** with Section(s), 30-927 of the Village Code within 35 days from the date of the signed Order.

- b. The Respondent has **not complied** with satisfying the administrative fee of one hundred twenty-five dollars (\$125.00) by not paying said fee within 35 days from the date of the signed Order.

Certificate of Service

I, Paul Minning, do hereby certify that a true and correct copy of the foregoing has been furnished via to: GIRCYS VICTOR, PO BOX 1395, ISLAMORADA, FL 33036, 103 Sunshine Blvd, Tavernier FL, physically posted on the property and via email to attorney David Hutchinson and tenant Jose Martinez on October 28, 2024



Paul Minning
Senior Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6428
E-mail: paul.minning@islamorada.fl.us



ISLAMORADA, VILLAGE OF ISLANDS
PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
86800 Overseas Highway • Islamorada, Florida 33036 • www.islamorada.fl.us

June 21, 2024

Jose A. Martinez
HAM Seafood
103 Sunshine Blvd
Islamorada, FL 33036

Re: 103 Sunshine Blvd – Site Plan Application Denial

Dear Mr. Martinez:

As you are aware on June 13, 2024, the Village Council voted to deny your request for Site Plan Approval. This denial prohibits the issuance of any building permits for several items on your property. Therefore, you must remove all unpermitted items, including but not limited to coolers, refrigerated containers, sheds, RV and fishing traps within 30 days of the date of the Council decision. You may need a demolition permit to remove some of these items. You can contact the building department to determine if a permit is required.

If you have any questions please contact me at (305) 664-64406 or jennifer.deboisbriand@islamorada.fl.us.

Thank you for your anticipated cooperation.

Sincerely,

A handwritten signature in black ink that reads 'Jennifer DeBoisbriand'.

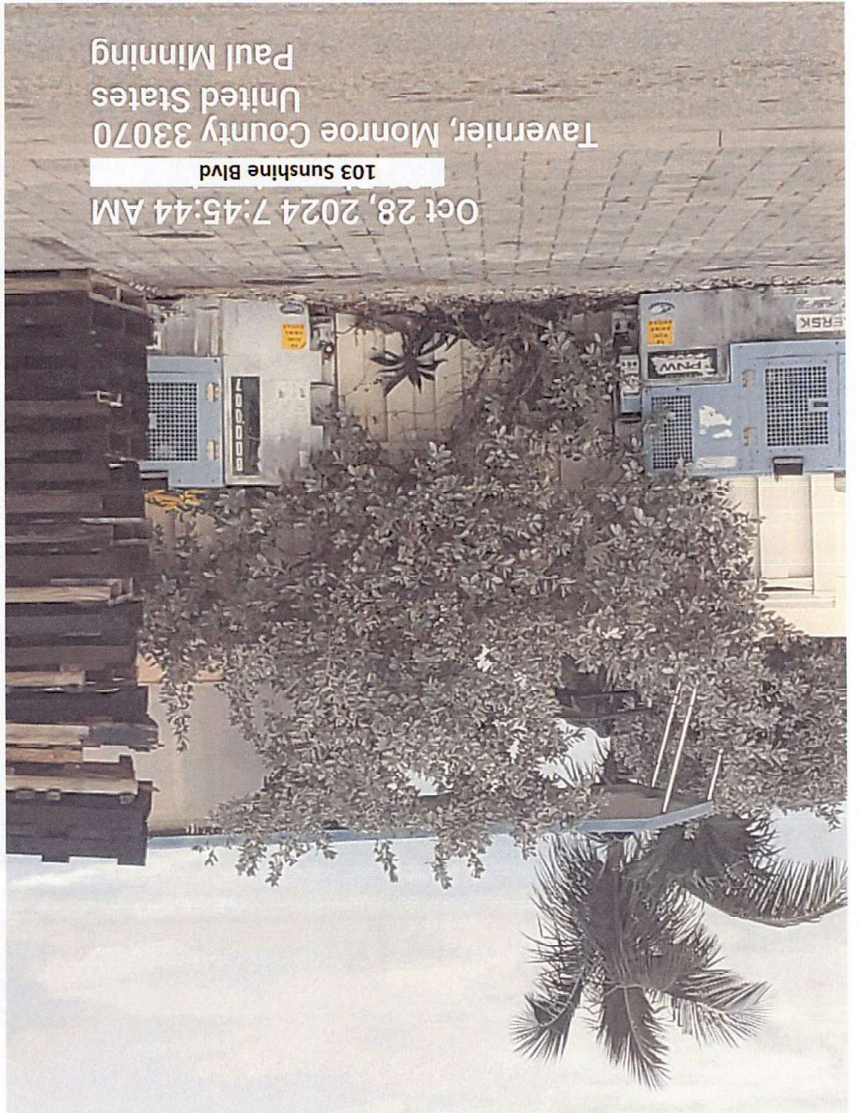
Jennifer DeBoisbriand
Planning Director



Oct 28, 2024 7:45:40 AM

103 Sunshine Blvd

Tavernier, Monroe County 33070
United States
Paul Manning





Oct 28, 2024 7:46:04 AM

103 Sunshine Blvd

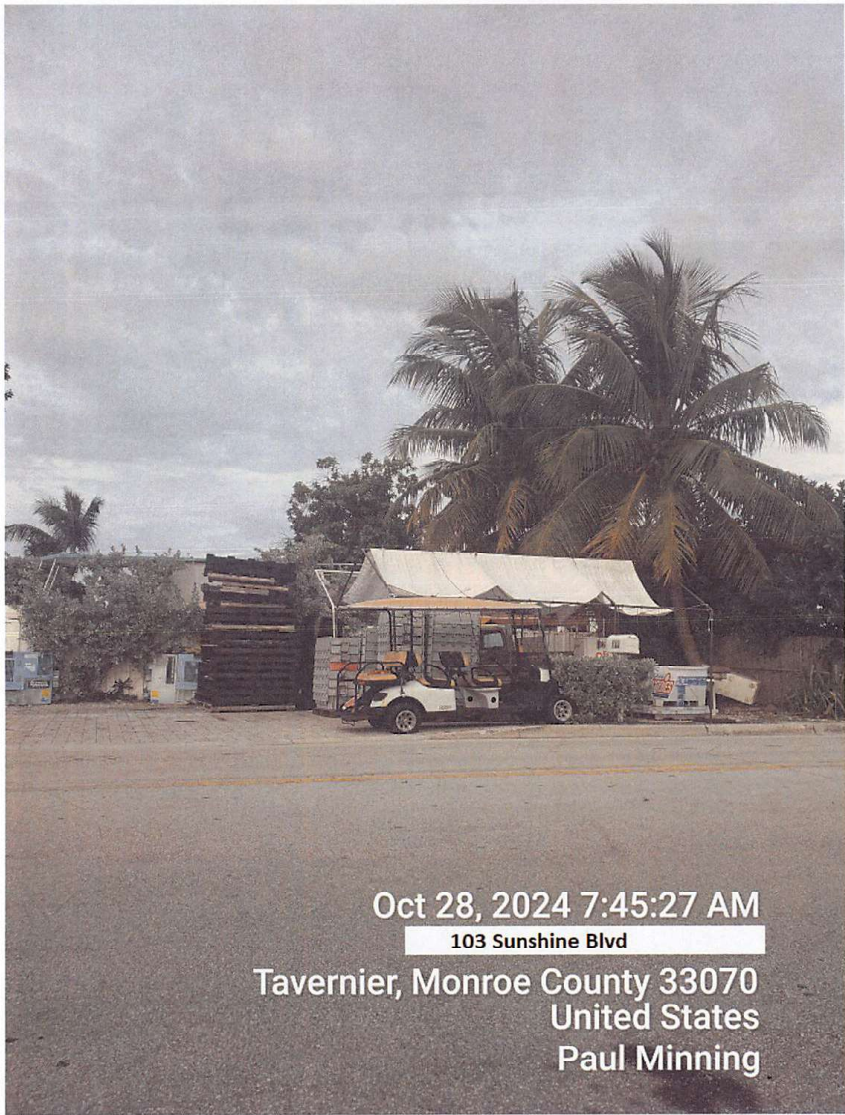
Islamorada, Monroe County 33036
United States
Paul Manning



Oct 28, 2024 7:45:40 AM

103 Sunshine Blvd

Tavernier, Monroe County 33070
United States
Paul Minning



Oct 28, 2024 7:45:27 AM

103 Sunshine Blvd

Tavernier, Monroe County 33070
United States
Paul Minning

Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036
Phone: (305) 664-6400 Fax: (305) 664-6469

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS

CASE NO.: CEBDGC20220000250

Petitioner,

v.

GIRCYS VICTOR

Respondent.

NOTICE OF HEARING

To: GIRCYS VICTOR

Re: Violations of the Village Code at

Property Location:	103 SUNSHINE BLVD, ISLAMORADA, FLORIDA 33036
Subdivision:	
Legal Description:	BK 1 LT 14 AND E 10 FT LOT 15 SUNSHINE ESTATES SEC 1 PLANTATION KEY PB4-63 OR228-456/57 OR332-205/06 OR1317-1713

Date and Factual Description of Violation(s):

On Monday, June 27, 2022, an unpermitted conax (metal) storage container was documented at this location. An ATF temporary use permit is required.

Section 30-927 of the Village Code entitled " Temporary storage units permitted" which provides that Section 105, Chapter 1 of the 2017 Florida Building Code (FBC) 6th Edition states that any owner or authorized representative who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any required impact-resistant coverings, electrical, gas, mechanical or plumbing system, they shall first make application to the building official and obtain the required permit.

On September 10, 2024, this matter came before the Islamorada Village of Islands Code Compliance Hearing Officer. The Hearing Officer affirmed the decision of the Code Compliance Officer and found the violator to be in violation of Section 30-927. The violator was ordered to comply within 35 days (October 25, 2024) of the signed order and pay the administrative fee of \$125.00.

On Monday October 28, 2024, I reinspected the property and violations were not corrected. The administrative fee was also not paid as required. Affidavit of Non-Compliance was completed the same day.

You are hereby ordered to appear before the Village Code Compliance Hearing Officer ("Hearing Officer") for a public hearing to address the above violation(s) of the Village Code. This public hearing will be held **Tuesday, November 12th, 2024, at 2:00 PM at Islamorada, Village of Islands Village Hall, 86800 Overseas Highway, 3rd Floor Conference Room, Islamorada, Florida 33036**

In the event the Hearing Officer finds you in violation, the Hearing Officer may levy fines of up to \$250.00 per day for a first violation, up to \$500.00 per day for a repeat violation, or up to \$500.00 per violation for a Citation, against you and your Property for every day that any violation continues beyond the compliance date set in the Notice of Violation or Citation issued by the Code Compliance Officer. If the Hearing Officer finds that the violation is irreparable or irreversible in nature, the Hearing Officer may impose a fine of up to \$5,000.00. If the violation is corrected and then reoccurs, or if the violation is not corrected by the time specified for correction by the Code Compliance Officer, the case may be presented to the Hearing Officer even if the violation has been corrected prior to the hearing. You may also be liable for the costs of repairs and the reasonable administrative hearing costs in an amount no less than \$125.00, if found in violation of the Village Code. A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien against the Property and upon any other non-exempt real or personal property you own. The lien may result in a foreclosure of your property and a money judgment against you.

It is your responsibility to request a re-inspection of the Property and Village records, as applicable, to determine whether you complied with this notice of violation, by calling the Code Compliance Officer at (305) 664-6428.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you at this hearing. You will also have the opportunity to present witnesses as well as question the witnesses against you before the Hearing Officer makes a determination. If you wish to present exhibits at the hearing, please bring four (4) copies of each exhibit. Failure to attend the hearing or a finding of a violation may result in a civil penalty and administrative hearing costs assessed against you.

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This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the ADA Coordinator at ADA@islamorada.fl.us or by phone at (305) 664-6448 at least five (5) days prior to the hearing.

PLEASE GOVERN YOURSELF ACCORDINGLY.



Paul Minning
Senior Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6428
E-mail: paul.minning@islamorada.fl.us

Certificate of Service

I, Paul Minning, do hereby certify that a true and correct copy of the foregoing has been furnished via: Posted on property at 103 Sunshine Blvd. also via email to Victor Gircys attorney David Hutchinson and via email to tenant Jose Martinez. on October 28, 2024.



Paul Minning
Senior Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6428
E-mail: paul.minning@islamorada.fl.us

Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036
Phone: (305) 664-6400 Fax: (305) 664-6469

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS
Petitioner,

CASE NO. CEBDGC20220000250

v.

GIRCYS VICTOR
Respondent.

AFFIDAVIT OF POSTING

I, Paul Minning, Code Compliance Officer for Islamorada, Village of Islands, Florida who, after being duly sworn, hereby deposes and says:

1. I am a Code Compliance Officer employed by Islamorada, Village of Islands, Florida.
2. On Monday, October 28, 2024, I mailed a copy of the attached Notice of Hearing ("Notice") via certified mail, return receipt requested 9589 0710 5270 2025 4117 to GIRCYS VICTOR PO BOX 1395 ISLAMORADA, FL 33036. A copy of the Notice is attached as Exhibit A.
3. On Monday, October 28, 2024, I posted a copy of the attached Notice and a Posting Notice on the following described property located at 103 SUNSHINE BLVD, Plantation Key, Florida and a copy of said Notice and a Posting Notice (copy attached) at Village Hall located at 86800 Overseas Highway, Islamorada, Florida 33036. Notices and photographic evidence of the property posting are attached as Exhibit B.

Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036
Phone: (305) 664-6400 Fax: (305) 664-6469

POSTING NOTICE

CODE COMPLIANCE

CEBDGC20220000250
CASE NUMBER

Monday, October 28, 2024
DATE OF POSTING

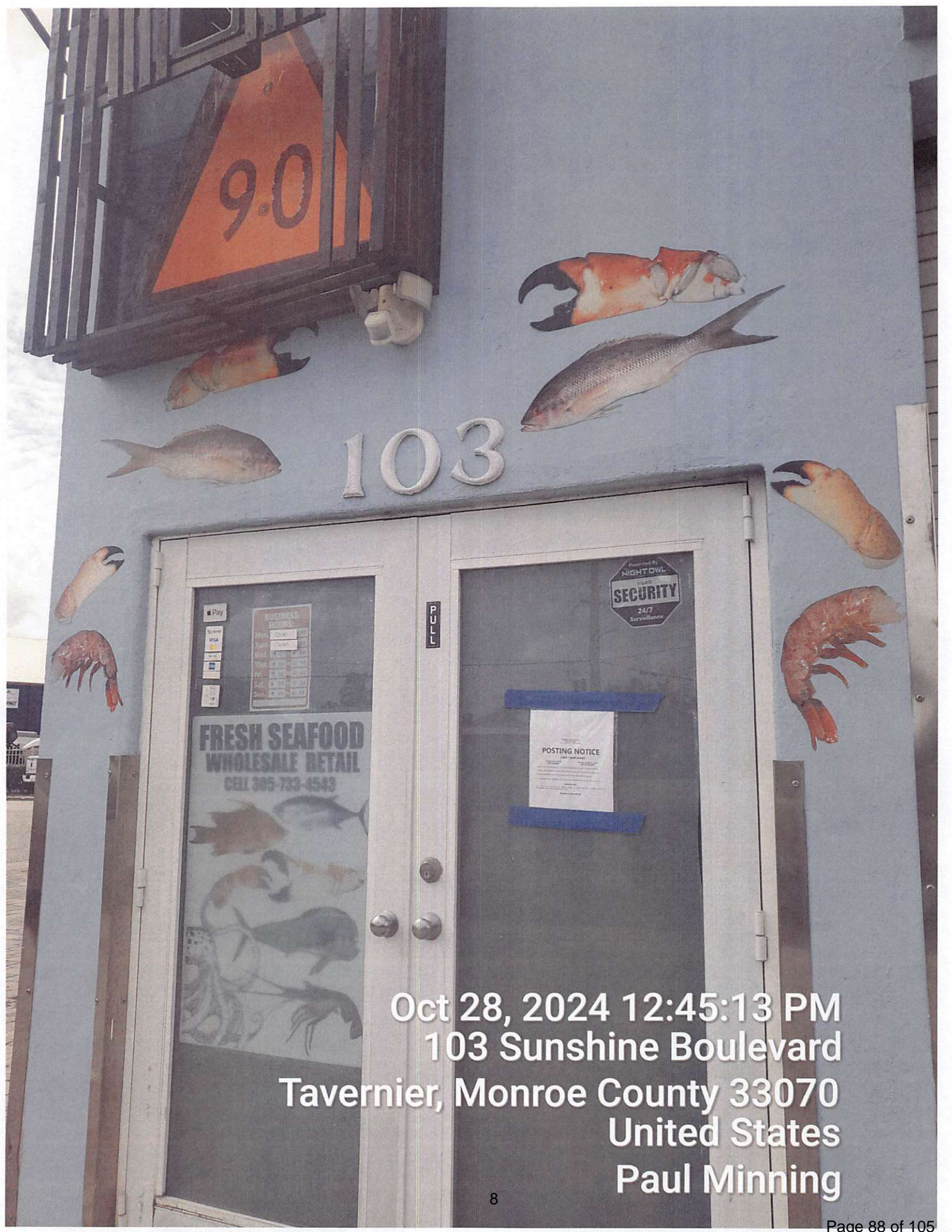
THE PROPERTY IS IN VIOLATION OF THE CODE OF ISLAMORADA, VILLAGE OF ISLANDS. ATTEMPTS TO SERVE THE ATTACHED NOTICE BY CERTIFIED MAIL AND/OR HAND DELIVERY WERE MADE PRIOR TO OR CONCURRENTLY WITH THE POSTING OF THIS NOTICE. ACCORDINGLY (check one):

THE DEADLINE FOR COMPLIANCE WITH THE ATTACHED WARNING OR CIVIL VIOLATION NOTICE IS:

October 25, 2024

X THIS CASE IS NOW SET FOR HEARING BEFORE THE CODE COMPLIANCE HEARING OFFICER, IN ACCORDANCE WITH THE ATTACHED NOTICE, ON:

November 12, 2024 at 2:00 PM



9.0

103

Pay
Master
VISA
Discover
American Express

BUSINESS HOURS
Mon: 10:00 - 10:00
Tue: 10:00 - 10:00
Wed: 10:00 - 10:00
Thu: 10:00 - 10:00
Fri: 10:00 - 10:00
Sat: 10:00 - 10:00
Sun: 10:00 - 10:00

FRESH SEAFOOD
WHOLESALE RETAIL
CELL 305-733-4543

Protected By
NIGHT OWL
VIDEO
SECURITY
24/7
Surveillance

POSTING NOTICE

PULL

Oct 28, 2024 12:45:13 PM
103 Sunshine Boulevard
Tavernier, Monroe County 33070
United States
Paul Minning

103



PC

POSTING NOTICE
 CODE COMPLIANCE

NOTICE: This notice is posted in accordance with the requirements of the Florida Building Code, Chapter 610, Part 610.01, which requires that a notice be posted on the exterior of a building when a permit is required for the work. The notice shall be posted in a conspicuous location and shall contain the following information: (a) The name of the contractor or subcontractor performing the work; (b) The address of the building; (c) The nature of the work to be performed; (d) The date of the start of the work; and (e) The date of the completion of the work. This notice shall remain posted until the work is completed and the building is ready for occupancy. If the work is not completed by the date specified in this notice, the contractor or subcontractor shall be responsible for the removal of this notice and the posting of a new notice. The contractor or subcontractor shall also be responsible for the payment of any applicable fines or penalties. For more information, please contact the local building department. Thank you for your cooperation.

SEAFOOD RETAIL 4543



Oct 28, 2024 12:45:09 PM
 103 Sunshine Boulevard
 Tavernier, Monroe County 33070
 United States
 Paul Minning



Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00434700-000000
 Account# 1532509
 Property ID 1532509
 Millage Group 50VI
 Location 103 SUNSHINE Blvd, PLANTATION KEY
 Address
 Legal BK 1 LT 14 AND E 10 FT LOT 15 SUNSHINE ESTATES SEC 1 PLANTATION KEY PB4-63
 Description OR28-456/57 OR332-205/06 OR1317-1713
 (Note: Not to be used on legal documents.)
 Neighborhood 10020
 Property RETAIL-SINGLE TENANT (1100)
 Class
 Subdivision SUNSHINE ESTATES SEC #1
 Sec/Twp/Rng 32/62/38
 Affordable No
 Housing



Owner

GIRCYS VICTOR
 PO Box 1395
 Islamorada FL 33036

Valuation

	2021	2020	2019	2018
+ Market Improvement Value	\$109,526	\$113,966	\$99,101	\$94,323
+ Market Misc Value	\$49,878	\$51,371	\$52,867	\$52,722
+ Market Land Value	\$378,562	\$378,562	\$347,015	\$379,730
= Just Market Value	\$537,966	\$543,899	\$498,983	\$526,775
= Total Assessed Value	\$327,064	\$297,331	\$270,301	\$245,729
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$537,966	\$543,899	\$498,983	\$526,775

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(1100)	11,684.00	Square Foot	0	0

This instrument prepared by and after recording return to:
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, Florida 33036
Attn: Code Compliance Officer

Filed and Recorded in Official Records of
MONROE COUNTY KEVIN MADOK, CPA

**ISLAMORADA VILLAGE OF ISLANDS, FLORIDA
CODE COMPLIANCE HEARING OFFICER**

ISLAMORADA, VILLAGE OF ISLANDS

Case No. CEBDGC20220000250

Petitioner,

v.

VICTOR GIRCYS

Respondent.

ORDER IMPOSING CIVIL PENALTIES

This matter came before the Islamorada, Village of Islands ("Village") Code Compliance Hearing Officer ("Hearing Officer") on September 10, 2024. Having heard testimony and based on the evidence presented, the Hearing Officer enters the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The subject property is located at 103 SUNSHINE Blvd, Islamorada, FL 333036, having Monroe County Property Appraiser's Real Estate Parcel ID number 00434700-000000 and legally described as:

Lot 14, and the East 10 feet of Lot 15, Block 1, SUNSHINE ESTATES SUBDIVISION, Section 1, according to the Plat thereof as recorded in Plat Book 4, at Page 63, of the Public Records of Monroe County, Florida (the "Property").

2. VICTOR GIRCYS ("Violator") is the owner of the Property and is responsible for the violation on the Property that is the subject of this code compliance action.
3. The Hearing Officer affirms the decision of the Code Compliance Officer and finds the Violator to be in violation of Section 30-927 of the Village Code entitled "Temporary storage units permitted."

ORDER

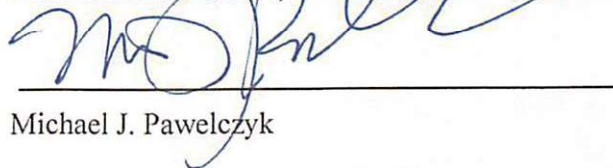
It is hereby ORDERED, that:

4. The Violator shall comply with code Section 30-927 as referred to in paragraph 3 of this order within 35 days from the date of this signed Order.

5. The Violator shall pay administrative costs of \$125.00 within 35 days from the date of this signed Order.
6. If the Violator fails to timely correct the violation within the time period specified by this Order, the Violator shall pay a fine of \$250.00 per day until the violation is corrected.
7. **It is the responsibility of the Violator to arrange for a re-inspection of the Property and Village records, as applicable, to determine compliance with this Order.**
8. A certified copy of this order may be recorded in the Public Records of Monroe County, Florida, and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the Violators and, if the violation concerns real property, any subsequent purchasers, successors in interest or assigns. If the Violators do not bring the violation into compliance with this Order within the time specified, the Hearing Officer may enter an Order Imposing Fine. A certified copy of an Order Imposing Fine may be recorded in the Public Records of Monroe County, Florida, and once recorded shall constitute a lien against the property upon which the violation exists and upon any other real or personal property owned by the Violators.

DONE AND ORDERED at Islamorada, Village of Islands, Monroe County, Florida, on this 10th day of September 2024.

CODE COMPLIANCE HEARING OFFICER
FOR ISLAMORADA, VILLAGE OF ISLANDS



Michael J. Pawelczyk

Order Signed: Sept. 20, 2024

PURSUANT TO SECTION 2-121 OF THE VILLAGE CODE, AN APPEAL OF THIS ORDER MAY BE FILED IN THE CIRCUIT COURT IN MONROE COUNTY, FLORIDA, WITHIN THIRTY DAYS OF THE FILING OF THIS ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of this order was filed with the Monroe County Clerk of Court on this 27 day of SEPTEMBER, 2024 and that, on the same date, a true and correct copy of the foregoing order was sent via mailed faxed and mailed hand delivered, emailed to the person listed below:

JOSE MARTINEZ VIA E-MAIL HAMSEAFOD@YAHOO.COM
VICTOR GIRCY'S CERTIFIED E-MAIL

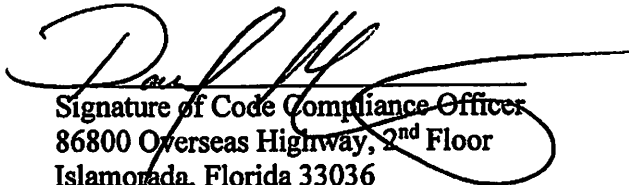
Other party or his/her attorney:

Fax Number: _____

Email: HAMSEAFOD@YAHOO.COM

Certified Mail Return Receipt: 9589 070 5270 2052 4117

Confirmation Number (if applicable): _____


Signature of Code Compliance Officer
86800 Overseas Highway, 2nd Floor
Islamorada, Florida 33036
Telephone Number: 305-664-6435

9589 0710 5270 2052 4117 25

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com


OFFICIAL USE

Certified Mail Fee	
Extra Services & Fees (check box, add fee as appropriate)	\$
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To	<i>Victoria Gray's</i>
Street and Apt. No., or P.O. Box	<i>110. Box 1388</i>
City, State, ZIP+4®	<i>TAMMORADA, FL 33036</i>

PS Form 3800, January 2013 PSN 7530-02-000-9017 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>																	
<p>1. Article addressed to:</p> <p style="text-align: center;"><i>VICTOR GREY'S</i> <i>P.O. BOX 1395</i> <i>ISLAMORADA, FL 33036</i></p> <div style="text-align: center;">  9590 9402 8990 4064 7565 98 </div>	<p>B. Received by (Printed Name) <i>VICTOR GREY'S</i></p>	<p>C. Date of Delivery <i>10-7-24</i></p>																
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">9589 0710 5270 2052 4117 25</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Mail Restricted Delivery (00)</td> <td></td> </tr> </table>		<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Collect on Delivery Restricted Delivery		<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Mail Restricted Delivery (00)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																	
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<input type="checkbox"/> Insured Mail																		
<input type="checkbox"/> Mail Restricted Delivery (00)																		

PS Form 3811, July 2020 PSN 7530-02-000-8053

Domestic Return Receipt

**ISLAMORADA VILLAGE OF ISLANDS, FLORIDA
CODE COMPLIANCE HEARING OFFICER**

ISLAMORADA, VILLAGE OF ISLANDS

Case No. CEBDGC20220000250

Petitioner,

v.

VICTOR GIRCYS

Respondent/Landlord.

_____ /

MOTION TO EXTEND COMPLIANCE DEADLINE

COMES NOW, Respondent/Landlord, Victor Gircys, by and through undersigned counsel and files this Motion to Extend Compliance Deadline and as grounds thereof states the following:

1. Landlord, Victor Gircys, was cited by the Village of Islamorada on September 27, 2024, and required to bring the property into compliance with section 30.927 of the village code, as referred to in paragraph 3 of the signed order imposing civil penalties, within 35 days.
2. The entire violation was a result of the business practices of the Tenant.
3. The Landlord is bringing the property into compliance and should complete the process within the next 10 days.
4. Although Landlord has made significant progress in bringing the property into compliance, he may be unable to complete the entire process by the compliance date of October 25, 2024.

WHEREFORE, Landlord, Victor Gircys, asks this tribunal to extend the compliance date by an additional 30 days and/or reduce any fine that might be assessed by that amount allowed by village ordinance.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided electronic mail on the 16th day of October 2024.

By: /s/ David G. Hutchison
David G. Hutchison, Esq.
Fla. Bar No. 997420
info@floridakeyslegal.com
HUTCHISON & TUBIANA, PLLC
P.O. Box 1262
Key Largo, FL 33037
Tel. (305) 451-0013
Fax (305) 451-0024

Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036
Phone: (305) 664-6400 Fax: (305) 664-6469

CODE COMPLIANCE

ISLAMORADA, VILLAGE OF ISLANDS
Petitioner,

CASE NO. CEBDGC20220000250

v.

GIRCYS VICTOR
Respondent.

AFFIDAVIT OF NON-COMPLIANCE

I, Paul Minning, Code Compliance Officer for Islamorada, Village of Islands, Florida who, after being duly sworn, hereby deposes and says:

On, September 10, 2024 the Hearing Officer for the Village (the "Hearing Officer"), held a public hearing and issued an Order Imposing Civil Penalties Upon Default (the "Order").

Pursuant to the Order, GIRCYS VICTOR>, (the "Respondent"), was to have taken certain corrective action and pay an administrative fee of one hundred twenty-five dollars (\$125.00) within (35) days from the date of the Order.

On Monday, October 28, 2024, I performed a re-inspection of the property located at 103 SUNSHINE BLVD, Plantation Key, Florida 33036 (the "Property") which revealed that the Respondent has not complied with the following sections of the Village Code of Ordinances and the Order as follows:

- a. The Respondent has **not complied** with Section(s), 30-927 of the Village Code within 35 days from the date of the signed Order.

- b. The Respondent has **not complied** with satisfying the administrative fee of one hundred twenty-five dollars (\$125.00) by not paying said fee within 35 days from the date of the signed Order.

Certificate of Service

I, Paul Minning, do hereby certify that a true and correct copy of the foregoing has been furnished via to: GIRCYS VICTOR, PO BOX 1395, ISLAMORADA, FL 33036, 103 Sunshine Blvd, Tavernier FL, physically posted on the property and via email to attorney David Hutchinson and tenant Jose Martinez on October 28, 2024



Paul Minning
Senior Code Compliance Officer
86800 Overseas Highway
Islamorada, FL 33036
Telephone: (305) 664-6428
E-mail: paul.minning@islamorada.fl.us



ISLAMORADA, VILLAGE OF ISLANDS
PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
86800 Overseas Highway • Islamorada, Florida 33036 • www.islamorada.fl.us

June 21, 2024

Jose A. Martinez
HAM Seafood
103 Sunshine Blvd
Islamorada, FL 33036

Re: 103 Sunshine Blvd – Site Plan Application Denial

Dear Mr. Martinez:

As you are aware on June 13, 2024, the Village Council voted to deny your request for Site Plan Approval. This denial prohibits the issuance of any building permits for several items on your property. Therefore, you must remove all unpermitted items, including but not limited to coolers, refrigerated containers, sheds, RV and fishing traps within 30 days of the date of the Council decision. You may need a demolition permit to remove some of these items. You can contact the building department to determine if a permit is required.

If you have any questions please contact me at (305) 664-64406 or jennifer.deboisbriand@islamorada.fl.us.

Thank you for your anticipated cooperation.

Sincerely,

A handwritten signature in black ink that reads "Jennifer DeBoisbriand".

Jennifer DeBoisbriand
Planning Director







Oct 28, 2024 7:46:04 AM

103 Sunshine Blvd

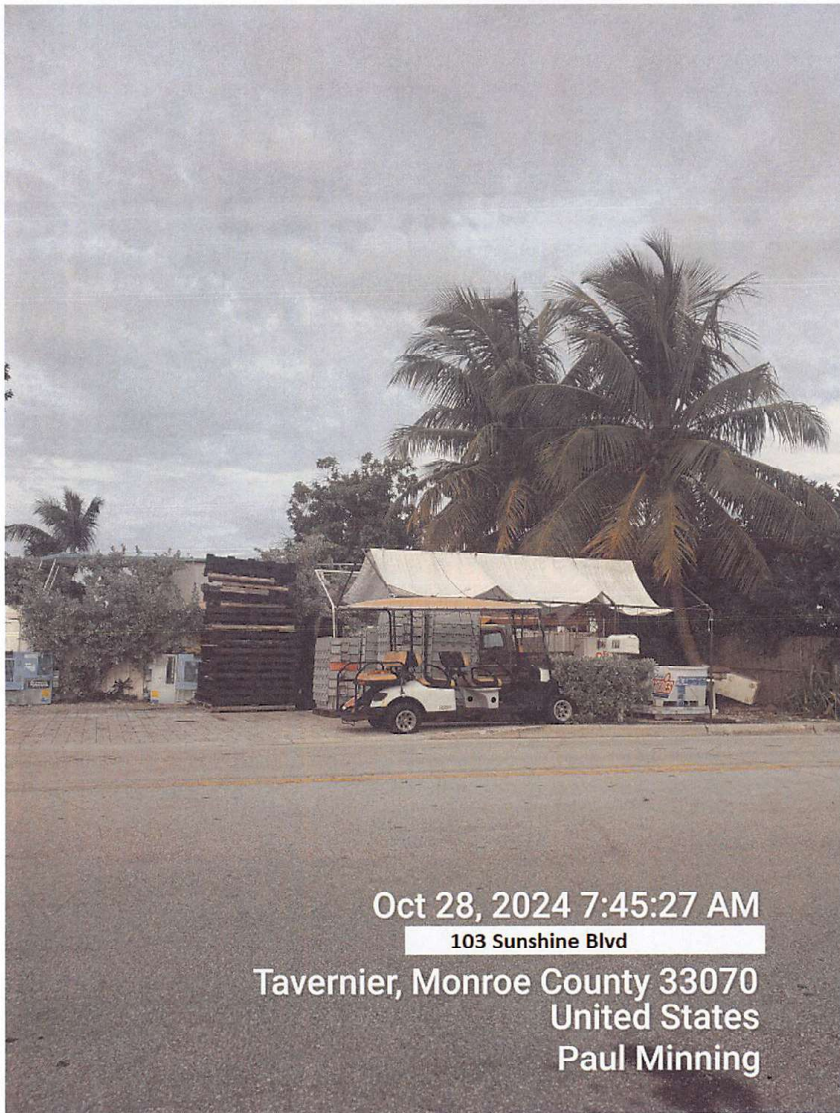
Islamorada, Monroe County 33036
United States
Paul Manning



Oct 28, 2024 7:45:40 AM

103 Sunshine Blvd

Tavernier, Monroe County 33070
United States
Paul Minning



Oct 28, 2024 7:45:27 AM

103 Sunshine Blvd

Tavernier, Monroe County 33070
United States
Paul Minning