

NEW NOV/NOH CHECKLIST

INSPECTOR: Stan Anders
CONTENT:

CASE NUMBER: CE 21040101

	<i>Admin</i>	Cost of Prosecution Time Sheet	<input checked="" type="checkbox"/>
	<i>Admin</i>	Current Property Record Card	<input checked="" type="checkbox"/>
	<i>Admin</i>	Current Division of Corp. Page (If Applicable)	<input type="checkbox"/> <u>NA</u>
Tax Collector Y/N	<i>Admin</i>	Check for different address of owner on Tax Collector	<input checked="" type="checkbox"/>
	<i>Admin</i>	Check for cases by Owners and Violators	<input checked="" type="checkbox"/>
verified on: <u>4.23.21</u>	<i>Admin</i>	Check for cases by Re# or VIN# or Tag# <u>Now</u>	<input checked="" type="checkbox"/>
	<i>Admin</i>	Check for permits related to complaint	<input checked="" type="checkbox"/>
	<i>Admin</i>	Check for Change of Ownership	<input checked="" type="checkbox"/>
Comments:	<i>Admin</i>	Lis Pendens <u>Y/N</u> If yes note Lis Pendens in Notepad	<input checked="" type="checkbox"/>
	<i>Admin</i>	Check input (SM board & owner name directory style)	<input checked="" type="checkbox"/>
	<i>Admin</i>	Hold placed on RE# if applicable	<input type="checkbox"/> <u>YES</u>

<i>Insp</i>	Check for open permits and permits related to case	<input checked="" type="checkbox"/>
<i>Insp</i>	Check Alchemy SM Cases / Permits / Planning, etc.	<input checked="" type="checkbox"/>
<i>Insp</i>	Check for Business Tax Receipt, if applicable	<input checked="" type="checkbox"/>
<i>Insp</i>	Note in notepad Additional Violators, VIN's & Tags	<input checked="" type="checkbox"/>
<i>Insp</i>	Check for different address @ Tax Collector <u>Same</u>	<input checked="" type="checkbox"/>
<i>Insp</i>	Check Hold on RE# & all inspections resulted	<input checked="" type="checkbox"/>
<i>Insp</i>	Check for recent change in Ownership & Lis Pendens	<input checked="" type="checkbox"/>
<i>Insp</i>	Exhibits Included & Marked	<input checked="" type="checkbox"/>
<i>Insp</i>	Relevant Referrals / Planning / DOH/ACOE/ ETC	<input checked="" type="checkbox"/>
<i>Insp</i>	To-Wits entered	<input checked="" type="checkbox"/>
<i>Insp</i>	List of Witnesses	<input checked="" type="checkbox"/>

Intital Insp Date 4-26-21 **Date of Compliance** _____ **Date of Hearing** 10-28-21

<i>Admin</i>	Notice of Violation/Notice of Hearing	<input type="checkbox"/>
<i>Admin</i>	Certified Mail Card(s) Signed or USPS Cert	<input type="checkbox"/>
<i>Admin/Insp</i>	Record(s) of Posting / Service	<input type="checkbox"/>

SUPERVISORS APPROVAL: Janice Hall **DATE** 9/7/21

DIRECTOR'S APPROVAL: cpm **DATE:** 9.8.21

DATE	INSPECTION/EVENT TYPE	INSTRUCTIONS/COMMENTS
10-20-2021	REINSPECTION FOR HEARING	
10-08-2021	POSTING OF NOV/NOH/MOTION/LTR	POSTED NOV AT PROPERTY & COURTHOUSE, ATTACHED. -JSA
09-03-2021	NOTICE OF VIOLATION/HEARING	PREPARED NOTICE OF VIOLATION FOR 10/28/2021 SPECIAL MAGISTRATE HEARING AND SUBMITTED TO SUPERVISOR FOR APPROVAL JSA

Dear Nicole,

As you are the listed liaison for the special magistrate, I am contacting you for information on who to contact regarding a date change for special magistrate case CE21040101 I am requesting a change in the date of my court case. As you may or may not already know, I recently found a posted document on my property. It was posted on 10/8/2021. This document states that I have a court hearing on 10/28/2021. This supposed code violation was first started on 9/03/2021 according to the county website I am just now finding out about the "notice of violation" hearing by a posting on my property. Prior to this I had no contact with code compliance. nor did i know they had a pending case against my property. For over a month the code compliance was compiling a case against me without my knowledge. I have filed a public records request on 10/9/2021 seeking all records and aerial photos. I will need these to properly prepare and defend myself in the special magistrate courtroom. I also need time to properly investigate and find a company to install my sewer connection. I will also need time to properly clean my yard according to county code.21-20.

I would like to formally request at least an additional month to find a sewer contractor, clean up my property, and prepare my defense for the permit violation. There are two very important reasons for this requested date change. ONE, The need to have my public records request #21-2472 fulfilled in order to properly prepare my court defence.. TWO, the code compliance reinspection that is scheduled to occur on 10/20/2021. that does not allow enough time to correct all the issues associated with this code compliance case. I also suspect the public records request will not be fulfilled by the time of the hearing on 10/28/2021 per your special magistrate rule #4 I feel fundamental due process should allow me time to compile my case. Rule 5 states that I have to submit all exhibits memos and additional information to code compliance seven working days before the hearing for it to be considered at the hearing. I will need to submit photos, documents and additional information for my case.

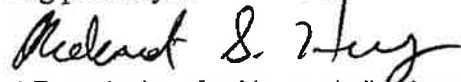
Thank you for your time and consideration for this request. On the website it clearly states "Property owners cited by code compliance are given a reasonable amount of time to bring their property into compliance before the case is referred to the Special Magistrate." I for one feel that I was given little to no time before my case was referred to the special magistrate. I did not find out till 10/08/2021 and court is on 10/28/2021 with a re-inspection set for 10/20/2021. I have listed some documented information pertaining to my case below

Your Truly,

Robert S. Henry

1548 gardenia lane

Big pine key florida 33043



4. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. Formal discovery, including depositions, is not permitted.

5. Petitioner Exhibits, Respondent Exhibits, memos, or any additional information from the Respondent or Authorized Representative and written materials or pictures from the general public must be submitted to the Code Compliance Department at least seven working days before the hearing to be considered at the hearing and to be made a part of the record of the hearing. It is impossible to adequately understand, evaluate and respond to evidence without adequate time for review by staff and the Special Magistrate.

R. Henry
1548 Gadenia Lane
B, Pina Key, FL 33043

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
CERTIFIED MAIL



7027 1450 0000 7403 4563

Special Magistrate
Nicole Petrick ec CE 21040101
2798 Overseas Highway
Marathon FL 33050
Second Floor

33050-427799



1020



33050

U.S. POSTAGE PAID
FOM LETTERS
BIG PINE KEY, FL
33043
OCT 12, 21
AMOUNT
\$7.38
R2303S101682-27

2023
NOV
10
PM
BIG PINE KEY
FL 33043

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cc. I also sent a copy to Nicole Petrek

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Thank you for your time and consideration for this request. On the website it clearly states "Property owners cited by code compliance are given a reasonable amount of time to bring their property into compliance before the case is referred to the Special Magistrate." I for one feel that I was given little to no time before my case was referred to the special magistrate. I did not find out till 10/08/2021 and court is on 10/28/2021 with a re-inspection set for 10/20/2021. I have listed some documented information pertaining to my case below

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Robert S. Henry

1548 gardenia lane

Big pine key florida 33043

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month to the FCAA. Since I have received county compliance case, I have also called two companies to give me a price for sewer hookup. I will be choosing one before October 28th and will let you know as soon as I do so you can verify (I will send signed contract) I have hired a company to complete the sewer hookup. Both companies have informed me they will take care of all the permitting required to complete the job. **Any recommendations on who to get to do the sewer install?** I have also filed a public records request for my specific code compliance case to see the case evidence against me the county has compiled on my behalf. I really hope this does not come down to me having to hire an attorney to plead my case. Once again the county has shown how indifferent they are to their residents instead of helping a full time county resident get some kind of resolution. Monroe county has acted like usual and involved the law to try to make its constituents bend to their will.

My house has been here since 1967 and seen many storms I have been living in my house since Irma and I don't have a problem with living in it. Everything works fine. I am sitting here now typing this letter. I have been until now enjoying my life in the keys. I will also contact my local county commissioner, Michelle Coldiron just to see if she may be able to help me with this situation in any way possible. I know you are just doing your job and I wish you well but this has to stop it's a direct assault on my unalienable rights to life, liberty and pursuit of happiness.

Yours truly,

A handwritten signature in black ink, appearing to read "Robert S. Henry". The signature is fluid and cursive, with the first name "Robert" being the most prominent part.

Robert S. Henry

1548 gardenia lane

big pine key, fl 33043

Dear Stan,

I am and have for years been a full time county resident and employed in Monroe county, FL. I recently found a posted notice on my primary residence that an investigation was started concerning my property or as you may know it case CE210401101. First off let me say I have been down this road before with my deck which I did build without a permit in 2010. I was a newbie and not yet living here in the keys. I learned the hard way when Rhonda from code compliance came knocking at my door. I took corrective action to remedy that situation. That is the reason I have not yet completed final roof repairs to my residence. I did not want to bother with an ATF permit so I did no permanent repairs. I see they have come down last time it was \$750 plus permit costs. This is the exact reason why the only work done to my roof was laying self adhering roofing underlayment. It was layed directly over the existing plywood and what was left of my existing pre Irma roof. This I consider a temporary fix. I have not replaced any plywood, structural wood or any trusses. I did replace a missing piece of fascia board.

When I built my deck I was told the only way to get rid of the violation was to completely remove the deck or fix it. At that time I chose to fix it instead of removing it. I would estimate about 70 % of my original roof remains unscathed by Irma. The entire back half and about 40% of the front half remained intact. My neighbor's tree fell and knocked off a manual wind turbine but the roof around it stayed intact. The other part of the front section was lifted and taken away by the hurricane. Right after the hurricane I put a blue tarp over the damaged area until I could make temporary repairs. Since that September I have only added one 10 ft length wooden fascia board and self adhesive underlayment to my roof after it was partially damaged by hurricane Irma. I did this in November of 2017. I see that recently the county has a problem with my temporary repairs. In order to restore my roof to its original September 12th 2017 condition, I will remove the fascia board that was installed and peel up the self adhered underlayment. I will put a blue tarp back over my roof to prevent any water intrusion. In other words I will bring my roof back to its original condition directly after Irma came through the keys. That is before any temporary repairs were made to the damage done by mother nature. At a future date, I will submit a permit application with all required specifications, materials list and scope of work to be done as a Owner/Builder to replace my entire roof with a new rubber or shingle roof.

I was not aware of any specific legislated time limit a homeowner has to fix his own home. If that is the case then point to the legislation and I will file a roof permit application as required as soon as possible. I currently have no permits that I have opened or applied for work to be done to my roof. **Please let me know if you will need to inspect my roof when I remove the fascia board and temporary underlayment?** I will need to tarp it the same day and would like you on site to see the temporary repairs have been completely removed.

I have already made one run to the county transfer station about a month ago and got rid of the debris along the fence. I will get rid of the tub and debris near the mailbox. I figured the scrap metal guy would have taken it by now. **I am not sure what else you are referring to as litter except for the few pieces of paper on the ground. If there is anything else please specifically tell me about it.** I will take and send pictures of the yard when its done.

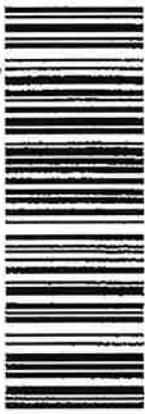
As for the Sewer well I have recently applied for a Monroe county Ship Sewer Hook-Up Income Verification. I am considered a low income due to the fact my yearly state salary is \$28,500. I hope to maybe get some financial assistance if at all possible. If not I will pay in full for the sewer hookup. You are correct and I have yet to hook up to the sewer even though I am paying the fees faithfully every

R. Henry
1548 Gardens Lane
Big Pine Key, FL 33043



BIG PINE KEY, FL
33043
OCT 12, 21
AMOUNT
\$7.38
R2303S101882-27

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS FOLD AT DOTTED LINE
CERTIFIED MAIL



7017 1450 0000 7403 4670

Code Compliance
Stan Anders re: CE21040161
2798 Overseas Highway
Marathon, FL 33050



MIAMI FL 330
12 OCT 2021 PM 4 1

I am requesting a continuance for case CE21040101

As you may or may not already know, I recently found a posted document on my property. It was posted on 10/8/2021. This document states that I have a court hearing on 10/28/2021. This supposed code violation was first started on 9/03/2021 according to the county website I am just now finding out about the "notice of violation" hearing by a posting on my property. Prior to this I had no contact with code compliance. Nor did I know they had a pending case against my property. For over a month the code compliance was compiling a case against me without my knowledge.

I have filed a public records request on 10/9/2021 seeking all records and aerial photos. I will need these to properly prepare and defend myself in the special magistrate courtroom. I also need time to properly investigate and find a company to install my sewer connection. I will also need time to properly clean my yard according to county code.21-20.1 need to request at least an additional month to find a sewer contractor, clean up my property, and prepare my defense for the permit violation.

There are two very important reasons for this requested date change. ONE, The need to have my public records request #21-2472 fulfilled in order to properly prepare my court defense. TWO, the code compliance re inspection that is scheduled to occur on 10/20/2021. This does not allow sufficient enough time to correct all the issues associated with this code compliance case. I also suspect the public records request will not be fulfilled by the time of the hearing on 10/28/2021. Per your special magistrate rule #4 I feel fundamental due process should allow me time to compile my case. Rule 5 states that I have to submit all exhibits memos and additional information to code compliance seven working days before the hearing for it to be considered at the hearing. I will need to submit photos, documents and additional information for my case. I will need time to compile this crucial information

. On the website it clearly states "Property owners cited by code compliance are given a reasonable amount of time to bring their property into compliance before the case is referred to the Special Magistrate." I for one feel that I was given little to no time before my case was referred to the special magistrate. I did not find out till 10/08/2021 and court is on 10/28/2021 with a re-inspection set for 10/20/2021.

I will have the sewer done by a local company with all necessary permits. I will clean my yard up too. Since receiving the notice on 10/08/2021 I have already started to clean up my yard. I called multiple sewer contractors to complete lateral hookup and abandonment work. So far I have removed almost a ton of yard and miscellaneous debris from my house. That was 4 pickup loads to the transfer station a few days hard work and \$110. I need some time to find storage place for the trailer so the sewer company can install the lateral line to the street. I know they will be using heavy equipment and will need room to work. Thank you for your time and consideration for this request

REQUEST FOR CONTINUANCE

CASE: ~~CE2140101~~ CE21040101
INSP: STAN ANDERS *gjm*

Code Compliance Special Magistrate
Monroe County, Florida
Phone: (305)289-2509
Fax: (305)289-2858
Mail to: 2798 Overseas Highway, Marathon, FL 33050

This notice must be received in this office 5 working days prior to the hearing. Please contact the office prior to the hearing to receive the outcome of your request.

Note: A continuance of a hearing date, even if granted by the Special Magistrate, will not stop daily fines from accruing once they have been imposed.

Person Requesting Continuance (Name & Relationship) Robert S Henry, Property Owner

Date: October 9, 2021 Phone No. _____

Has a continuance been requested before? No

Compliance Date: October 20, 2021

Current Scheduled Hearing Date: October 28, 2021

Subject Property: 1548 Gardenia Lane, Big Pine Key

Charges cited with: 110-140.(a), 20-51.(a), & 21-20.(a)

Explain in detail why continuance is requested: (You may use the back if additional space is needed)

I need more time due to the fact I work a full time job 40hrs per week. I will also need to go NJ and retrieve my laptop and receipts for before and after pictures of storm damage - I need to take / schedule days off to make the drive to NJ. also please see Attached sheet also

Signature of property owner: Robert S Henry Date: 10/14/2021

(Code Compliance Use Only)

Comments: _____

Magistrate: Approval _____ Opposed _____ Date: _____

County Attorney: Approval _____ Opposed _____ Date: _____

Continuance Approved to Hearing Date: _____ New Compliance Date: _____

Opposed (reason): _____

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Email: Petrick-Nicole@monroecounty-fl.gov

Website: www.monroecounty-fl.gov

Please note: Florida has a very broad public records law. Most written communications to or from the County regarding County business are public record, available to the public and media upon request. Your e-mail communication may be subject to public disclosure.

From: wannabe conch <wannabeconch@gmail.com>
Sent: Sunday, October 10, 2021 12:24 PM
To: Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>
Cc: Anders-Stan <Anders-Stan@MonroeCounty-FL.Gov>
Subject: CE 21040101 Re:1548 gardenia lane Big Pine Key,Fl

CAUTION: This email originated from outside of the County. Whether you know the sender or not, do not click links or open attachments you were not expecting.

As you are the listed liaison for the special magistrate, I am contacting you for information on who to contact regarding a date change for special magistrate case CE21040101 I am requesting a change in the date of my court case. As you may or may not already know, I recently found a posted document on my property. It was posted on 10/8/2021. This document states that I have a court hearing on 10/28/2021. This supposed code violation was first started on 9/03/2021 according to the county website I am just now finding out about the "notice of violation" hearing by a posting on my property. Prior to this I had no contact with code compliance. nor did i know they had a pending case against my property. For over a month the code compliance was compiling a case against me without my knowledge. I have filed a public records request on 10/9/2021 seeking all records and aerial photos. I will need these to properly prepare and defend myself in the special magistrate courtroom. I also need time to properly investigate and find a company to install my sewer connection. I will also need time to properly clean my yard according to county code.21-20.

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Your Truly,
Robert S. Henry
1548 gardenia lane
Big pine key florida 33043

Monroe County Code Compliance
2798 Overseas Highway, Suite 330
Marathon, FL 33050

Phone: (305)289-2509

Fax: (305) 289-2858

Email: Petrick-Nicole@monroecounty-fl.gov

Website: www.monroecounty-fl.gov

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From: wannabe conch <wannabeconch@gmail.com>
Sent: Tuesday, October 12, 2021 12:42 PM
To: Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>
Subject: Re: CE 21040101 Re:1548 gardenia lane Big Pine Key,Fl

CAUTION

Thank you very much for the prompt reply! I also sent the same letter to you certified mail in case I did not receive an email reply. That letter should arrive Thursday feel free to ignore it since you answered my question.
Thanks again.
Bob Henry

On Tue, Oct 12, 2021, 7:25 AM Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov> wrote:

Good Morning Mr. Henry,

The public records request was just submitted on Saturday, 10/08 and we were Closed for the Columbus Day Holiday yesterday. I will be able to provide you with a copy of your case file asap and it will be released to you via the NEXTREQUEST WEBSITE for download. I am off today but periodically checking my emails and this why I am replying to this email to acknowledge your request below.

I see you have also included your Inspector, Stan Anders in this email. Stan will be able to give you direction on filing out a formal request for continuance form to complete and to save time and duplication of reasons for your request you can attach this email.

Kindly,

Nicole Petrick, Liaison, CPM

Monroe County Code Compliance
2798 Overseas Highway, Suite 330
Marathon, FL 33050

Phone: (305)289-2509

Fax: (305) 289-2858

Petrick-Nicole

From: Petrick-Nicole
Sent: Tuesday, October 19, 2021 4:48 PM
To: 'wannabe conch'
Cc: Anders-Stan; Scull-Paunece; McPherson-Cynthia
Subject: RE: CE21040101 Re:1548 gardenia lane Big Pine Key,Fl
Attachments: CE21040101 Henry Reminder Notice with zoom 111821.pdf

Good Afternoon Mr. Henry,

The Assistant County Attorney did not oppose your request for continuance for the above mentioned case. **This case will be marked on our agenda as "CONTINUED TO NOVEMBER 18, 2021. You do not need to appear at the hearing on 10/28/21.**

Attached is the Reminder Notice of Hearing and ZOOM webinar info for 11/18/21 that is also being mailed to you today.

The public records should have been released to you via the NEXTREQUEST WEBSITE yesterday, 10/18.

Special Magistrate Hearing - November 18, 2021

You are invited to a Zoom webinar.

When: Nov 18, 2021 09:00 AM Eastern Time (US and Canada)

Topic: Special Magistrate Hearing - November 18, 2021

Please click the link below to join the webinar:

<https://mcbocc.zoom.us/j/87901800859>

Or iPhone one-tap :

US: +16465189805,,87901800859# or +16699006833,,87901800859#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 518 9805 or +1 669 900 6833

Webinar ID: 879 0180 0859

International numbers available: <https://mcbocc.zoom.us/j/87901800859>

It will greatly help if when you log into Zoom that you use your full legal name. (Please do not abbreviate or use a nickname). Once your case is called, please use the "Raise Hand" feature via the Zoom application. This will let our webinar administrator know to promote you to "Panelist" so that you can speak and show video.

Please note this hearing starts at 9:00 am and there is generally no "time certain" for your case to be heard. Please plan you day accordingly. However, we ask that you log in at the start of the hearing so we know that you are present. Cases are called randomly and not necessarily in the Order of the agenda. We ask for your patience as we do generally have a lot of cases to be heard.

Please feel free to call me if you have any questions.

Kindly,

Nicole Petrick, Liaison, CPM

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When: Nov 18, 2021 09:00 AM Eastern Time (US and Canada)

Topic: Special Magistrate Hearing - November 18, 2021

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Or iPhone one-tap :

US: +16465189805,,87901800859# or
+16699006833,,87901800859#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 518 9805 or +1 669 900 6833

Webinar ID: 879 0180 0859

International numbers available:

<https://mcbocc.zoom.us/j/kdHXkpe0hl>

County of Monroe

Code Compliance Department
2798 Overseas Highway
Marathon, Florida 33050



Case Inspector: ANDERS, STAN
Property Location: 1548 GARDENIA LN, BIG PINE KEY, FL 33043
Parcel ID: 00271350000000

Case Number: CE21040101

**ROBERT S HENRY
1548 GARDENIA LANE
BIG PINE KEY, FL 33043**

**** REMINDER NOTICE OF ADMINISTRATIVE HEARING ****

PLEASE TAKE NOTICE that a Public Hearing will be conducted by the Special Magistrate in the above case on **11/18/2021 at 9:00 AM** at the Monroe County Government Regional Center, 2798 Overseas Hwy., Marathon, Florida.

You may appear **via ZOOM WEBINAR (see attached instructions)** in person and/or be represented by an attorney or authorized agent. If you are represented by an attorney, your attorney is required to file a written notice of appearance with this office prior to the date of the hearing. IF YOU DECIDE TO APPEAL any decision by the Special Magistrate, you will need to ensure that a verbatim record of the proceedings is made, which shall include the testimony and evidence upon which the appeal is to be based.

You may request a continuance of the hearing for good cause shown. If you choose to request a continuance, a written request on the County's form must be made at least five (5) business days before the date of the hearing. A request for continuance DOES NOT GUARANTEE a postponement of your hearing. Contact the office of the Liaison for the Special Magistrate to submit your request: 2798 Overseas Highway, Suite 330, Marathon, FL 33050; Phone: (305) 289-2509; Fax: (305) 289-2858.

PLEASE NOTE: continuance of a hearing date, even if granted by the Special Magistrate, will not stop daily fines from accruing once they have been imposed. If the Special Magistrate denies your request for an extension of compliance date, a daily fine and costs of prosecution and investigation may be imposed on the subject property. Said fine may constitute a lien on said property and any other property owned by the violator.

If you agree that the violation(s) exist as alleged in this Case, you may request a Stipulation Agreement in lieu of attending the hearing. If you choose to request a Stipulation Agreement, contact your Code Inspector listed below at least five (5) business days before the date of the hearing. A request for a Stipulation Agreement does not guarantee a postponement of your hearing. It is important that you contact your inspector at the appropriate location listed below.

Middle Keys:	2798 Overseas Highway, Suite 330 Marathon, FL 33050 (305) 289-2810
Upper Keys:	102050 Overseas Highway Key Largo, FL 33037 (305) 453-8806

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

CERTIFICATION OF SERVICE

I hereby certify that a copy hereof has been furnished to the above named addressee(s) by U.S. First Class Mail on 10/19/21.

Code Compliance Department

Prepared by and return to:

True Title Agency, Inc.
PO Box 420321
Summerland Key, FL 33042
305-872-4005 File Number: 2010-111

Grantee S.S. No.
Parcel Identification No. 00271350-000000

Doc# 1781338 03/15/2010 1:23PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

03/15/2010 1:23PM
DEED DOC STAMP CL: TRINA \$1,337.00

Doc# 1781338
Bkn 2455 Pgn 1807

[Space Above This Line For Recording Data]

\$191,000.00

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 11 day of March, 2010 between Lisa K. Peabody, a single woman whose post office address is 3641 Washington Blvd., University Heights, OH 44118 of the County of Cuyahoga, State of Ohio, grantor*, and Robert S. Henry, a single man whose post office address is 110 Butt Lane, Aston, PA 19014 of the County of Delaware, State of Pennsylvania, grantee*,

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County Florida, to-wit:

Lot 11, Block 23, EDEN PINES COLONY, THIRD ADDITION, Big Pine Key, as recorded in Plat Book 5, Page 59, of the Public Records of Monroe County, Florida.

Subject to taxes for 2010 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property. Grantor's residence and homestead address is: 3641 Washington Blvd, Cleveland, OH 44118

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Anna Balaga Lisa K. Peabody (Seal)
Witness Name: Irene Zborovsky

State of Ohio
County of Cuyahoga

The foregoing instrument was acknowledged before me this 5 day of March, 2010 by Lisa K. Peabody, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name:

My Commission Expires:

IRENE ZBOROVSKY
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 03/11/11
RECORDED IN CUYAHOGA COUNTY

MONROE COUNTY
OFFICIAL RECORDS

DoubleTime®

CAUTION: This email originated from outside of the County. Whether you know the sender or not, do not click links or open attachments you were not expecting.

I tried to send this to Stan Anders but got back an automatic reply that he no longer works for the county. Since you are in charge of code compliance I figured I would contact you to find out who now has my case file. This is in reference to case # CE210401101.

After calling two dozen roof contractors and two getting back to me with estimates. I have determined that with all the costs needed to repair my house and roof I will soon exceed the 50% rule. The lowest bid was from Bob Hilson for 15k for an 1100 square foot roof that does not include any engineering wind load costs or plywood replacement which will then add at least 10k to the original 15k estimate. I also need to replace the deck and other assorted repairs. Anyway, I am not going to throw good money after bad. I have decided to demo and rebuild a new modular home. I would really like a concrete home but that's gonna be north of 500K so I will go with a modular and hopefully keep it under 400k

I have contacted the original survey company to come do a survey on my property. Reese surveying on Big pine key is set to come out on may 18th to survey the property. I have paid them \$750 to do the survey. I will need this survey to submit with the demo permit. I will tear off my temporary repair that still does not leak and cover my roof with a tarp if that is what it takes to avoid a fine until I can submit for the demo permit.

I am also travelling back to NJ may 20th to 24th. I outright own two houses in NJ one at 708 Longfellow Rd in Woodbine NJ is going up for sale on may 20th when i sign the paperwork. I will be using Debbie tweed from monihan realty in Ocean City NJ to sell the home. I plan to use all the proceeds as a down payment on a modular or to contribute to use for site prep and /or building costs. The other house is at 557 pine place Marmora, NJ I will be using it as collateral to secure the new construction loan. I have spoken to the bank and they are ready and willing to loan me the money. As luck would have it I am able to live at Bahia Honda state park in an employee owned trailer while the new house is being built.

I will file for the demo permit when I return from NJ on the 24th or as soon as I get the survey from Reese and Co. The secretary said it should be ready within a week of the survey being done on May 18th. I have done a site plan and know my setbacks. I have an area 45 feet wide by 55 feet long to work with according to my own site plan based on a 60 by 100ft lot

I will be contacting Eddie from discount rock and sand for a demo price once I get the permit. I have been working with a few modular home companies to determine the cost of a new home. So far it's looking like I will most likely go with southern structures to build a new modular home. The one I want is 206k plus delivery costs and site preparation. They told me even if I put the deposit down today I am still 18 months out till the house can be delivered. I will need time to demo and to have the engineering and concrete piers designed and constructed anyway.

I also know the county won't issue a building permit until I close the demo permit. I am sure this is going to be a process to build a new home but I don't want to spend money to repair it only to have the county tell me I need to tear it down because I have exceeded the 50% rule.

Please let me know what I need to do or who to contact to avoid a daily fine and or hire a lawyer to litigate this case. If I have to tear off the temporary repair and tarp my roof I will do that if needed to avoid the fine for not properly permitting my temporary roof repair..Possibly you can give me a few more weeks to file for the demo permit. I will file for the demo permit before june 15th as long as reese surveying keeps their may18th date which i set up over a month ago.

thanks again
Bob Henry

2798 Overseas Hwy #330
Marathon, FL 33050
(305) 289-2508
McPherson-Cynthia@monroecounty-fl.gov

HELP US TO HELP YOU!

Please note: Florida has a very broad public records law. Most written communications to or from the County regarding County business are public record, available to the public and media upon request. Your email communication may be subject to public disclosure.

From: McPherson-Cynthia
Sent: Saturday, May 14, 2022 1:36 PM
To: wannabe conch <wannabeconch@gmail.com>
Subject: RE: CE21040101

Mr. Henry,

I am in receipt of your email. I will be your inspector of record now that Inspector Anders has left. I understand your circumstances. I have attached an Enlargement of Time to Comply with a new compliance date of August 31, 2022. Please be reminded you will be in compliance once the demo permit is closed. The length of time to rebuild is not a factor.

Please review the document. If you have questions, please contact me. If you are in agreement, your signature must be notarized. You may scan the entire document back to me to begin the approval process. The original document must be mailed by first class mail to the address below.

Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
Marathon, FL 33050
(305) 289-2508
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From: wannabe conch <wannabeconch@gmail.com>
Sent: Friday, May 13, 2022 10:31 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Subject: CE21040101

Petrick-Nicole

From: McPherson-Cynthia
Sent: Wednesday, June 8, 2022 3:02 PM
To: wannabe conch
Cc: Petrick-Nicole
Subject: FW: CE21040101
Attachments: Henry-Enlargement of Time to Comply.pdf

Mr. Henry,
Please see below.
Thanks.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
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(305) 289-2508
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From: McPherson-Cynthia
Sent: Wednesday, June 8, 2022 3:00 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Cc: Petrick-Nicole <Petrack-Nicole@monroecounty-fl.gov>
Subject: RE: CE21040101

Mr. Henry,
To date, the County has not received a signed and notarized Enlargement of Time to Comply sent to you on 5-14-22. Your original compliance date, May 23, 2022, has come and gone. Without this signed document extending your compliance period to August 31, 2022, the County will have to place a lien on your property for noncompliance.

Please return the signed/notarized document by Wednesday, June 15, 2022. If you have questions, please let me know.
Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance

By signing this Agreement, both parties represent that they have the authority to enter into this agreement and further, that they have READ, UNDERSTOOD, AND CONSENT to its terms and conditions.

Signature of Respondent(s) / Date

Print Name

STATE OF _____
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the
undersigned authority,

_____ who, after
first being sworn by me, affixed his/her signature
(name of individual signing) in the space provided
above on this _____ day of _____ 20____

NOTARY PUBLIC

Signature of Respondent(s) / Date

Print Name

STATE OF _____
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the
undersigned authority,

_____ who, after
first being sworn by me, affixed his/her signature
(name of individual signing) in the space provided
above on this _____ day of _____ 20____

NOTARY PUBLIC

Signature of Petitioner (County) / Date

Inspectors name

STATE OF _____
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the
undersigned authority,

_____ who, after
first being sworn by me, affixed his/her signature
(name of individual signing) in the space provided
above on this _____ day of _____ 20____

NOTARY PUBLIC

4. The parties understand that a fine of \$100.00 per day shall accrue daily if the property is not brought into compliance within the time specified in paragraph 3. The fines will accrue as follows:

110-140. (a) \$100.00 per day

5. The Respondent(s) agree to pay all costs incurred in prosecuting the case within 30 days of compliance and that such costs may be imposed as a lien under Section 162.09(2)(d), Florida Statutes, and Monroe County Code section 8-29(b).

6. The Respondent(s) specifically agrees that this Agreement may be recorded in the public records of the County and if recorded shall constitute notice to subsequent purchasers, successors in interests, or assigns that the violations of Monroe County Code 110-140. (a) exist. This Agreement shall be recorded as a lien against the property and upon any other real or personal property owned by the Respondent(s) if the property is not brought into compliance by the date specified in paragraph 3.

7. Respondent(s) agrees and represents that Respondent(s) entered into this Agreement of the Respondent(s)'s own free will. Respondent(s) further understands and agrees that he/she has the right to consult with counsel prior to signing this Stipulation, and has done so or has elected to waive this right. The parties understand and agree that the Respondent(s) may revoke this Agreement and that such revocation must be done in writing or done in person with Inspector McPherson by the end of business May 27, 2022..

**MONROE COUNTY CODE COMPLIANCE
SPECIAL MAGISTRATE**

Monroe County Code Compliance
Petitioner

vs.

Case Number CE21040101

Robert S Henry
Respondent(s)

In the matter of: 1548 Gardenia Lane, Big Pine Key, FL 33043
Re# 00271350-000000

**AGREEMENT TO ENLARGE COMPLIANCE DATE
AND ORDER APPROVING SAME**

The Petitioner Monroe County Code Compliance by and through the undersigned Code Compliance Inspector and Robert S Henry, hereby agree to the following:

1. The final Order dated November 19, 2021 ordered a compliance date of May 23, 2022. I am not going to be compliant by that date.
2. Respondent(s) agrees that the violation(s) still exists in the above captioned matter and;
 - (a) The parties are now agreeing to an extension to the compliance date of August 31, 2022.
 - (b) The Respondent waives the right to appeal any finding of violation or order that he or she would otherwise have under Section 162.11, Florida Statutes.
 - (c) The Final Order dated November 19, 2021, and any evidence in the Code Compliance file will be deemed the record in the case; and
3. The property will be checked for compliance on August 31, 2022. (New compliance date).

**MONROE COUNTY CODE COMPLIANCE
SPECIAL MAGISTRATE**

Monroe County Code Compliance
Petitioner

vs.

Case Number CE21040101

Robert S Henry
Respondent(s)

In the matter of: 1548 Gardenia Ln, Big Pine Key, FL 33043
Re# 00271350-000000

**ORDER APPROVING AGREEMENT
TO ENLARGE COMPLIANCE DATE**

This matter comes before the undersigned Special Magistrate upon the Agreement of the parties to enlarge the compliance date, which was initially established in the Final Order rendered on November 19, 2021. Upon consideration of the parties' Agreement and being otherwise advised, it is

ORDERED that:

1. The Agreement attached hereto is approved, adopted, and incorporated by reference, to this Order as if fully set forth herein.
2. The terms and conditions of the Final Order dated November 19, 2021 remain the same.
3. The new compliance date shall be August 31, 2022. Fines shall accrue as specified in the Final Order of August 27, 2020 the property is not brought into compliance by this date.

DONE AND ORDERED this ____ day of _____, 20____.

JOHN G. VAN LANINGHAM
Code Compliance Special Magistrate

CERTIFICATE OF ORDER

I hereby certify that this is a true and correct copy of the above Order.

Nicole M. Petrick, Liaison

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Order has been furnished to the Respondent(s) via hand delivery / first class U.S. mail to Respondent(s) address of record w/ the Monroe County Property Appraiser's Office as referenced above and/or Authorized Representative _____ on this _____ day of _____, 20____.

Nicole M. Petrick, Liaison

From: wannabe conch <wannabeconch@gmail.com>

Sent: Friday, May 13, 2022 10:31 PM

To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>

Subject: CE21040101

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I also know the county won't issue a building permit until I close the demo permit. I am sure this is going to be a process to build a new home but I don't want to spend money to repair it only to have the county tell me I need to tear it down because I have exceeded the 50% rule.

Please let me know what I need to do or who to contact to avoid a daily fine and or hire a lawyer to litigate this case. If I have to tear off the temporary repair and tarp my roof I will do that if needed to avoid the fine for not properly permitting my temporary roof repair. Possibly you can give me a few more weeks to file for the demo permit. I will file for the demo permit before june 15th as long as reese surveying keeps their may18th date which i set up over a month ago.

thanks again

Bob Henry

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

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Subject: RE: CE21040101

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Please review the document. If you have questions, please contact me. If you are in agreement, your signature must be notarized. You may scan the entire document back to me to begin the approval process. The original document must be mailed by first class mail to the address below.

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Sr. Director, Code Compliance

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able to get it done before 8/31/2022. I just recieved my site survey from Reese on June 8th that took almost two months. If I am forced to spend north of 20K to put on a new roof then I will have Hammerhead tent the home for termites and continue to live in my house, slightly unhappy but the case will be closed. Hopefully in 10 or so years I will start the rebuilding process. I am sure my neighbors won't mind a bit with the old school TLC pink house next door.

If you choose to fine me daily then I will have no choice but to hire a lawyer and spend my money as a Monroe County taxpayer and every other County taxpayer's money going to court to fight for my right to live in my home as it is till I can rebuild. The ball is in your court so to speak. Let me know if I am getting a daily fine and need to hire a lawyer or as I would expect removing the violating temporary repair will remove the violation and thus close the case so I can continue the new home building process.

Respectfully Frustrated
Bob Henry

On Wed, Jun 8, 2022 at 3:01 PM McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov> wrote:

Mr. Henry,
Please see below.
Thanks.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
Marathon, FL 33050
(305) 289-2508
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From: McPherson-Cynthia
Sent: Wednesday, June 8, 2022 3:00 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Cc: Petrick-Nicole <Petrack-Nicole@monroecounty-fl.gov>
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Please return the signed/notarized document by Wednesday, June 15, 2022. If you have questions, please let me know.
Thank you.

From: wannabe conch <wannabeconch@gmail.com>
Sent: Tuesday, June 14, 2022 11:13 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Subject: Re: FW: CE21040101

CAUTION

I received your email request to sign the agreement to enlarge compliance date. The fact that it restricts most of my rights as the respondent and limits the appeal process I will not be willing to sign the documents as it was sent to me for my signature. I do not want to be held to the 8/31/2022 demo date, that is a very short timeline set by the county that I find impossible to meet. You already know what I want to do with the property. It is going to take more than 75 days to get a new house built. Per our last email exchange, you would like me to open and close a demo permit by 8/31/22 to bring my case into compliance.

This started because of a temporary repair to my roof reported by my former friend and neighbor Bruce Donnelly. Bruce would like nothing more than for me to build a new home. He can't stand my house and has said so on many occasions to myself and my guests. He has repeatedly reported me to code compliance to no avail. Supposedly the county has legal authority to tell me I have to replace my roof. I am doing my best not to consult an attorney but I feel like I am being put into a corner. I own the lot and house outright without mortgage or liens. I just want to build a new home! I need some time to weigh my options with builders and modular home companies. This is a very large expenditure for me and decisions that I will have to live with for the rest of my life.

Since I want to rebuild versus replacing the roof you want the house torn down ASAP. I will not tear down a perfectly sound, liveable, in need of some TLC house that has been there since 1967. I live in the home along with a friend from NJ. I have had full time occupants in my house since two years before Irma. As soon as I was allowed back into the keys the house was reoccupied.

I don't want to start the demo process until I have a signed contract on a new home. that is at least 2 or 3 months with the current backlog for factory built homes. It will be another 12 to 18 months to have a modular home built and delivered, I will also need to sell my woodbine, NJ house to be able to help finance the new home. Hopefully that happens when I am in NJ later this month.. Once I have a signed contract on the home from the factory and the associated builder to complete the project I will file for the demo permit

The original violation is for a temporary repair to my roof that was completed shortly after hurricane Irma. Even though I have had no problem with my roof leaking since the temporary repair was done, I will be removing the temporary repair and covering the area with a blue tarp. Just like I did after Irma, as soon as I saw the rolled composite roofing was torn off by the hurricane force wind.

The violation was for the temporary repair done without a permit. Removing the temporary repair will then remove the violation will it not? Irma/Act of God removed the original roof

I built a new deck on this house when I first moved here without getting a permit. The county took me to court and I had two choices: get an engineered drawing, build the deck to the specs and file an ATF permit. Choice #2 was to remove the deck and the case would be closed. I chose #1, spent about \$5000 and kept the deck. This is exactly why I did no permanent repairs on my home after Irma!!

Following this logic but against my better judgement I am choosing choice 2 (remove the temporary repair) not by choice but it's better than a daily fine. I am sure my neighbors are going to hate my Blue Tarp as will I but you leave me little choice. I will have the tarp on by Sunday June 19th. let me know when you want to inspect the temporary repair removal so i can meet an inspector there to remove the tarp so they can inspect my bare plywood roof

If you are going to force the situation with a full roof replacement, then I will get a signed contract to replace my roof by august 31st. from experience dealing with roofing companies I don't think the contractor will be

This is now the reality of my situation, due to the county imposing a daily fine for a violation that will no longer exist

I have asked many questions in this email to which I would be very appreciative if you could reply with detailed answers. I know this email being subject to public record you will be very short and to the point in your reply, but if you only answer one question let it be this one *I really want to know what Monroe county statute I will now be violating with my mostly blue tarp covered bare wood roof?*

Still respectfully frustrated

Bob Henry

On Wed, Jun 15, 2022 at 10:40 AM McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov> wrote:

Mr. Henry,

I am in receipt of your email and have reviewed the case. The Notice of Violation/Hearing noted three charges (code sections) allegedly in violation as indicated below. Code sections 20-51 (a) and 21-20 (a) were compliant prior to hearing leaving the one charge of 110-140(a). The charge was found in violation and a compliance date was given of May 23, 2022.

110-140.(a) Permits Required – Roof Repair
20-51 (a) Mandatory Wastewater Connection
21-20(a) Premises to be Cleaned

On May 14, 2022, prior to the compliance date, I received an email from you indicating your decision to demolish the structure. That would not be accomplished prior to the compliance ordered on May 23, 2022. An enlargement to the compliance date was discussed in order to facilitate the demolition without fines accruing. A draft was sent to you for your review. The document was not returned which was the reason for my most recent email to you.

I understand the timing and/or circumstances may have changed. Removing the repair, temporary or permanent, does not resolve the issue. Typically, I would offer to change the Enlargement of Time to Comply date to another date (within reason) so that would allow time for the demolition of the structure. However, you have indicated the unwillingness to sign such a document. As a reminder, the decision of demolition in lieu of repairing would resolve the code case with a closed permit. The actual rebuilding of a new structure does not factor in to compliance. The County will continue its process for noncompliance.

Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
Marathon, FL 33050
(305) 289-2508
McPherson-Cynthia@monroecounty-fl.gov

HELP US TO HELP YOU!

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violation? I had an unpermitted deck and was told by Rhonda the Monroe code compliance inspector if I removed the violating deck the case would be closed.. following that same logic I have an unpermitted roof repair and will remove it by Sunday June 19th why then will this not remove the violation? What is my actual violation? now two of the 3 violations have been fixed, county records show they were completed.. So I ask again when the temporary unpermitted roof repair is completely removed, what is the violation? it can no longer be an unpermitted roof repair because it's not there any more. What am I in violation of now?

Are you telling me that I can't have a blue tarp covering my roof?

There are 4 houses just in my local neighborhood with blue tarp roofs. I looked them up by tax records to get names and info and see that none of them have special magistrate cases lodged against them.. **logically you are now telling me that a blue tarp on my roof is a violation. Is that not correct?**

Because you have stated " Removing the repair, temporary or permanent, does not resolve the issue" .Please tell me what is the "issue" now since there is no longer a temporary repair? How is it not resolved? if it's the blue tarped roof? Then by logic all tarped roofs should have a code case against them. If that's the case I will start making notes of all the tarped roofs and report them as code violations. After June 19th, that's what will cover my roof. I am not sure how that's a violation. **Do I need a permit to put on a blue tarp on my leaky roof?**

Once again, what is my violation? Please be specific because the "110-140.(a) Permits Required – Roof Repair" will no longer be on my house; it will be removed and at the Cudjoe Key dump. I will happily provide the dump receipt and meet you on site to show the temporary repair was removed

So I ask for **WHAT IS THE VIOLATION**. Please explain and cite the actual violation. Obviously it can no longer be an unpermitted roof repair. it just does not make any sense to me. What am I violating now?..

Is the county telling me they have the right to force me to replace my roof?

If it's a new violation for tarping my roof then shouldn't there be a new code case opened against my property? I remedied two of the three and removed the third violation. How does that not resolve the 3rd violation?

With all this special magistrate litigation going to cost me hard earned time and money. You have backed me into a corner so to speak and I feel I have no choice.

Now I will be spending 20k to have my 1100 sq foot roof replaced because the tarps only last 3 months till they will need to be replaced.

Let's also be clear, you want me to sign a document to demolish the structure by 08/31/2022 and not have a house to live in anymore. you want an empty lot for the next 12 to 18 months while the building process takes place. This will render me homeless for a long extended period of time that is unacceptable to me but obviously it is of no concern to yourself or Monroe County that you represent!!!

Alas, my hope of building a new home is most likely not going to ever happen let alone in the near future.. I will now be getting the roof replaced and my house will now be here for a lot longer due to not signing a one sided document that does everything to protect the county and lay the blame and costs on myself.

My mortgage free 1967 conch house will not be demolished anytime soon I will fix it up slowly but surely over the next 10 years so as not to exceed the 50% rule. On the bright side my NJ home will still be sold for a great price. My Florida taxes will still be much lower at about 3k a year than they would be on a new structure.

Bruce, my neighbor, is not going to be a happy camper when he sees that blue tarp going up.

I have contacted Weller Engineering and for about \$1500 they will do my required wind load calculations so I can get the roof replacement permit pulled in the very near future. After some Florida statutes research, I also realize I may have some injunctive relief because my house was modular/manufactured and is worth less than 300k.

Petrick-Nicole

From: McPherson-Cynthia
Sent: Tuesday, June 21, 2022 1:45 PM
To: wannabe conch
Cc: Dugan-Kelly; Petrick-Nicole
Subject: RE: FW: CE21040101

Mr. Henry,
Your email has been received and will become part of your file. As previously stated, the county will move forward in its usual manner for noncompliance.
Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

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From: wannabe conch <wannabeconch@gmail.com>
Sent: Wednesday, June 15, 2022 1:08 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Subject: Re: FW: CE21040101

CAUTION

If you check the county records you will see that I have resolved the other two non compliance issues. my sewer was connected and my premises were cleaned up.. this was noted at the formal hearing i had with stan anders.. you see the sewer permit was opened and closed. my sewer line is installed. that fixed that violation. I cleaned up the property and former county code compliance employee, Stan Anders came by and checked it and said it was in compliance at the hearing..that cleared up that violation. The only issue left is a roof repair that I am removing so what is the violation? if I removed the unpermitted repair please specify what is the

Petrick-Nicole

From: Petrick-Nicole
Sent: Wednesday, June 22, 2022 7:30 AM
To: McPherson-Cynthia
Subject: FW: FYI Case ce21040101

Cynthia,

I didn't see you copied on this email from Mr. Henry....please let me know if I should be filing this as a lien.

Kindly,
Nicole

From: wannabe conch <wannabeconch@gmail.com>
Sent: Tuesday, June 21, 2022 5:32 PM
To: Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>; Dugan-Kelly <Dugan-Kelly@MonroeCounty-FL.Gov>
Subject: FYI Case ce21040101

...

CAUTION: This email originated from outside of the County. Whether you know the sender or not, do not click links or open attachments you were not expecting.

I signed a contract for a new roof today paid in full the \$15,600 contract price for the new roof. The company is called all area keys roofing in marathon.they will pull a permit this week and the roof will be done asap she said it will be completed before the 2nd week of July at the latest their phone number 305 743 4400 feel free to call and verify that I have a signed and paid in full contract with their company please add this email to my file too in hopes of avoiding a fine and a court case as you now know I will be getting a new roof.
Bob Henry

I tried to send this to Stan Anders but got back an automatic reply that he no longer works for the county. Since you are in charge of code compliance I figured I would contact you to find out who now has my case file.

This is in reference to case # CE210401101.

After calling two dozen roof contractors and two getting back to me with estimates. I have determined that with all the costs needed to repair my house and roof I will soon exceed the 50% rule. The lowest bid was from Bob Hilson for 15k for an 1100 square foot roof that does not include any engineering wind load costs or plywood replacement which will then add at least 10k to the original 15k estimate. I also need to replace the deck and other assorted repairs. Anyway, I am not going to throw good money after bad. I have decided to demo and rebuild a new modular home. I would really like a concrete home but that's gonna be north of 500K so I will go with a modular and hopefully keep it under 400k

I have contacted the original survey company to come do a survey on my property. Reese surveying on Big pine key is set to come out on may 18th to survey the property. I have paid them \$750 to do the survey. I will need this survey to submit with the demo permit. I will tear off my temporary repair that still does not leak and cover my roof with a tarp if that is what it takes to avoid a fine until I can submit for the demo permit.

I am also travelling back to NJ may 20th to 24th. I outright own two houses in NJ one at 708 Longfellow Rd in Woodbine NJ is going up for sale on may 20th when I sign the paperwork. I will be using Debbie tweed from monihan realty in Ocean City NJ to sell the home. I plan to use all the proceeds as a down payment on a modular or to contribute to use for site prep and /or building costs. The other house is at 557 pine place Marmora, NJ I will be using it as collateral to secure the new construction loan. I have spoken to the bank and they are ready and willing to loan me the money. As luck would have it I am able to live at Bahia Honda state park in an employee owned trailer while the new house is being built.

I will file for the demo permit when I return from NJ on the 24th or as soon as I get the survey from Reese and Co. The secretary said it should be ready within a week of the survey being done on May 18th. I have done a site plan and know my setbacks. I have an area 45 feet wide by 55 feet long to work with according to my own site plan based on a 60 by 100ft lot

I will be contacting Eddie from discount rock and sand for a demo price once I get the permit. I have been working with a few modular home companies to determine the cost of a new home. So far it's looking like I will most likely go with southern structures to build a new modular home. The one I want is 206k plus delivery costs and site preparation. They told me even if I put the deposit down today I am still 18 months out till the house can be delivered. I will need time to demo and to have the engineering and concrete piers designed and constructed anyway.

I also know the county won't issue a building permit until I close the demo permit. I am sure this is going to be a process to build a new home but I don't want to spend money to repair it only to have the county tell me I need to tear it down because I have exceeded the 50% rule.

Please let me know what I need to do or who to contact to avoid a daily fine and or hire a lawyer to litigate this case. If I have to tear off the temporary repair and tarp my roof I will do that if needed to avoid the fine for not properly permitting my temporary roof repair..Possibly you can give me a few more weeks to file for the demo permit. I will file for the demo permit before june 15th as long as reese surveying keeps their may18th date which I set up over a month ago.

thanks again

Bob Henry

McPherson-Cynthia@monroecounty-fl.gov

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From: McPherson-Cynthia

Sent: Saturday, May 14, 2022 1:36 PM

To: wannabe conch <wannabeconch@gmail.com>

Subject: RE: CE21040101

Mr. Henry,

I am in receipt of your email. I will be your inspector of record now that Inspector Anders has left. I understand your circumstances. I have attached an Enlargement of Time to Comply with a new compliance date of August 31, 2022. Please be reminded you will be in compliance once the demo permit is closed. The length of time to rebuild is not a factor.

Please review the document. If you have questions, please contact me. If you are in agreement, your signature must be notarized. You may scan the entire document back to me to begin the approval process. The original document must be mailed by first class mail to the address below.

Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
Marathon, FL 33050
(305) 289-2508
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From: wannabe conch <wannabeconch@gmail.com>

Sent: Friday, May 13, 2022 10:31 PM

To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>

Subject: CE21040101

...

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fine and need to hire a lawyer or as I would expect removing the violating temporary repair will remove the violation and thus close the case so I can continue the new home building process.

Respectfully Frustrated
Bob Henry

On Wed, Jun 8, 2022 at 3:01 PM McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov> wrote:

Mr. Henry,
Please see below.
Thanks.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

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From: McPherson-Cynthia
Sent: Wednesday, June 8, 2022 3:00 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Cc: Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>
Subject: RE: CE21040101

Mr. Henry,
To date, the County has not received a signed and notarized Enlargement of Time to Comply sent to you on 5-14-22. Your original compliance date, May 23, 2022, has come and gone. Without this signed document extending your compliance period to August 31, 2022, the County will have to place a lien on your property for noncompliance.

Please return the signed/notarized document by Wednesday, June 15, 2022. If you have questions, please let me know.
Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
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Marathon, FL 33050
(305) 289-2508

I received your email request to sign the agreement to enlarge compliance date. The fact that it restricts most of my rights as the respondent and limits the appeal process I will not be willing to sign the documents as it was sent to me for my signature. I do not want to be held to the 8/31/2022 demo date, that is a very short timeline set by the county that I find impossible to meet. You already know what I want to do with the property. It is going to take more than 75 days to get a new house built. Per our last email exchange, you would like me to open and close a demo permit by 8/31/22 to bring my case into compliance.

This started because of a temporary repair to my roof reported by my former friend and neighbor Bruce Donnelly. Bruce would like nothing more than for me to build a new home. He can't stand my house and has said so on many occasions to myself and my guests. He has repeatedly reported me to code compliance to no avail. Supposedly the county has legal authority to tell me I have to replace my roof. I am doing my best not to consult an attorney but I feel like I am being put into a corner. I own the lot and house outright without mortgage or liens. I just want to build a new home! I need some time to weigh my options with builders and modular home companies. This is a very large expenditure for me and decisions that I will have to live with for the rest of my life.

Since I want to rebuild versus replacing the roof you want the house torn down ASAP. I will not tear down a perfectly sound, liveable, in need of some TLC house that has been there since 1967. I live in the home along with a friend from NJ. I have had full time occupants in my house since two years before Irma. As soon as I was allowed back into the keys the house was reoccupied.

I don't want to start the demo process until I have a signed contract on a new home, that is at least 2 or 3 months with the current backlog for factory built homes. It will be another 12 to 18 months to have a modular home built and delivered, I will also need to sell my woodbine, NJ house to be able to help finance the new home. Hopefully that happens when I am in NJ later this month.. Once I have a signed contract on the home from the factory and the associated builder to complete the project I will file for the demo permit

The original violation is for a temporary repair to my roof that was completed shortly after hurricane Irma, Even though I have had no problem with my roof leaking since the temporary repair was done, I will be removing the temporary repair and covering the area with a blue tarp. Just like I did after Irma, as soon as I saw the rolled composite roofing was torn off by the hurricane force wind.

The violation was for the temporary repair done without a permit. Removing the temporary repair will then remove the violation will it not? Irma/Act of God removed the original roof

I built a new deck on this house when I first moved here without getting a permit. The county took me to court and I had two choices: get an engineered drawing, build the deck to the specs and file an ATF permit . Choice # 2 was to remove the deck and the case would be closed. I chose #1, spent about \$5000 and kept the deck. This is exactly why I did no permanent repairs on my home after Irma!!

Following this logic but against my better judgement I am choosing choice 2 (remove the temporary repair) not by choice but it's better than a daily fine. I am sure my neighbors are going to hate my Blue Tarp as will I but you leave me little choice. I will have the tarp on by Sunday June 19th. let me know when you want to inspect the temporary repair removal so i can meet an inspector there to remove the tarp so they can inspect my bare plywood roof

I If you are going to force the situation with a full roof replacement, then I will get a signed contract to replace my roof by august 31st. from experience dealing with roofing companies I don't think the contractor will be able to get it done before 8/31/2022. I just recieved my site survey from Reese on June 8th that took almost two months. If I am forced to spend north of 20K to put on a new roof then I will have Hammerhead tent the home for termites and continue to live in my house, slightly unhappy but the case will be closed. Hopefully in 10 or so years I will start the rebuilding process. I am sure my neighbors won't mind a bit with the old school TLC pink house next door.

If you choose to fine me daily then I will have no choice but to hire a lawyer and spend my money as a Monroe-County taxpayer and every other County taxpayer's money going to court to fight for my right to live in my home as it is till I can rebuild. The ball is in your court so to speak. Let me know if I am getting a daily

On Wed, Jun 15, 2022 at 10:40 AM McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov> wrote:

Mr. Henry,

I am in receipt of your email and have reviewed the case. The Notice of Violation/Hearing noted three charges (code sections) allegedly in violation as indicated below. Code sections 20-51 (a) and 21-20 (a) were compliant prior to hearing leaving the one charge of 110-140(a). The charge was found in violation and a compliance date was given of May 23, 2022.

110-140.(a) Permits Required – Roof Repair
20-51 (a) Mandatory Wastewater Connection
21-20(a) Premises to be Cleaned

On May 14, 2022, prior to the compliance date, I received an email from you indicating your decision to demolish the structure. That would not be accomplished prior to the compliance ordered on May 23, 2022. An enlargement to the compliance date was discussed in order to facilitate the demolition without fines accruing. A draft was sent to you for your review. The document was not returned which was for the reason for my most recent email to you.

I understand the timing and/or circumstances may have changed. Removing the repair, temporary or permanent, does not resolve the issue. Typically, I would offer to change the Enlargement of Time to Comply date to another date (within reason) so that would allow time for the demolition of the structure. However, you have indicated the unwillingness to sign such a document. As a reminder, the decision of demolition in lieu of repairing would resolve the code case with a closed permit. The actual rebuilding of a new structure does not factor in to compliance. The County will continue its process for noncompliance.

Thank you.

Cynthia

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Sr. Director, Code Compliance

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From: wannabe conch <wannabeconch@gmail.com>
Sent: Tuesday, June 14, 2022 11:13 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Subject: Re: FW: CE21040101

CAUTION

There are 4 houses just in my local neighborhood with blue tarp roofs. I looked them up by tax records to get names and info and see that none of them have special magistrate cases lodged against them.. **logically you are now telling me that a blue tarp on my roof is a violation. Is that not correct?** Because you have stated " Removing the repair, temporary or permanent, does not resolve the issue" .Please tell me what is the "issue" now since there is no longer a temporary repair? How is it not resolved? if it's the blue tarped roof? Then by logic all tarped roofs should have a code case against them. If that's the case I will start making notes of all the tarped roofs and report them as code violations. After June 19th, that's what will cover my roof. I am not sure how that's a violation. **Do I need a permit to put on a blue tarp on my leaky roof?**

Once again, what is my violation? Please be specific because the "110-140.(a) Permits Required – Roof Repair" will no longer be on my house; it will be removed and at the cudjoe key dump. I will happily provide the dump receipt and meet you on site to show the temporary repair was removed

So I ask for WHAT IS THE VIOLATION. Please explain and cite the actual violation. Obviously it can no longer be an unpermitted roof repair. it just does not make any sense to me. What am I violating now?

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I have contacted Weller Engineering and for about \$1500 they will do my required wind load calculations so I can get the roof replacement permit pulled in the very near future. After some Florida statutes research, I also realize I may have some injunctive relief because my house was modular/manufactured and is worth less than 300k.

This is now the reality of my situation due to the county imposing a daily fine for a violation that will no longer exist

I have asked many questions in this email to which I would be very appreciative if you could reply with detailed answers. I know this email being subject to public record you will be very short and to the point in your reply. but if you only answer one question let it be this one *I really want to know what Monroe county statute I will now be violating with my mostly blue tarp covered bare wood roof?* .

Still respectfully frustrated

Bob Henry

On Tue, Jun 21, 2022, 1:45 PM McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov> wrote:

Mr. Henry,

Your email has been received and will become part of your file. As previously stated, the county will move forward in its usual manner for noncompliance.

Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

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Sent: Wednesday, June 15, 2022 1:08 PM

To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>

Subject: Re: FW: CE21040101

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Are you telling me that I can't have a blue tarp covering my roof?

Petrick-Nicole

From: McPherson-Cynthia
Sent: Wednesday, June 22, 2022 8:46 AM
To: wannabe conch
Cc: Dugan-Kelly; Petrick-Nicole
Subject: RE: FW: CE21040101

Mr. Henry,

Your email has been received and will be placed in the file. Your compliance date pursuant to the Final Order by the Special Magistrate was May 23, 2022. An Enlargement of Time to Comply was drafted and forwarded for review and signature on May 14, 2022 to avoid the accrual of fines and placement of a lien for noncompliance. The document was not signed or returned with unwillingness to do so per your email on June 14, 2022.

To review, compliance will be achieved when the permit is closed.
Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

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2798 Overseas Hwy #330
Marathon, FL 33050
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From: wannabe conch <wannabeconch@gmail.com>
Sent: Tuesday, June 21, 2022 5:09 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Subject: Re: FW: CE21040101

CAUTION

I signed a contract for a new roof today paid in full the \$15,600 contract price for the new roof. The company is called all area keys roofing in marathon. they will pull a permit this week and the roof will be done asap she said it will be completed before the 2nd week of July at the latest their phone number 305 743 4400 feel free to call and verify that I have a signed and paid in full contract with their company please add this email to my file too in hopes of avoiding a fine and a court case as you now know I will be getting a new roof.
Bob Henry

I signed a contract for a new roof today paid in full the \$15,600 contract price for the new roof. The company is called all area keys roofing in marathon. they will pull a permit this week and the roof will be done asap she said it will be completed before the 2nd week of July at the latest their phone number 305 743 4400 feel free to call and verify that I have a signed and paid in full contract with their company please add this email to my file too in hopes of avoiding a fine and a court case as you now know I will be getting a new roof.
Bob Henry

Petrick-Nicole

From: McPherson-Cynthia
Sent: Wednesday, June 22, 2022 8:48 AM
To: Petrick-Nicole
Cc: Dugan-Kelly
Subject: RE: FYI Case ce21040101

Thanks. I did get it and just replied to him. Please file the lien per our usual process.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
Marathon, FL 33050
(305) 289-2508
McPherson-Cynthia@monroecounty-fl.gov

HELP US TO HELP YOU!

Please note: Florida has a very broad public records law. Most written communications to or from the County regarding County business are public record, available to the public and media upon request. Your email communication may be subject to public disclosure.

From: Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>
Sent: Wednesday, June 22, 2022 7:30 AM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Subject: FW: FYI Case ce21040101

Cynthia,

I didn't see you copied on this email from Mr. Henry....please let me know if I should be filing this as a lien.

Kindly,
Nicole

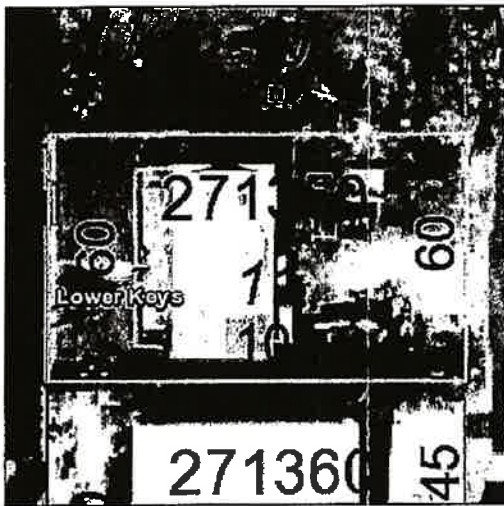
From: wannabe conch <wannabeconch@gmail.com>
Sent: Tuesday, June 21, 2022 5:32 PM
To: Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>; Dugan-Kelly <Dugan-Kelly@MonroeCounty-FL.Gov>
Subject: FYI Case ce21040101

CAUTION: This email originated from outside of the County. Whether you know the sender or not, do not click links or open attachments you were not expecting.

Photos



Map



TRIM Notice

[2020 TRIM Notice \(PDF\)](#)

2020 Notices Only

No data available for the following modules: Commercial Buildings, Mobile Home Buildings, Exemptions.

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: 4/23/2021, 3:31:23 AM

Version 2.3.118

Developed by
Schneider
GEOSPATIAL

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
CONC PATIO	1975	1976	1	63 SF	2
CONCRETE DOCK	1975	1976	1	150 SF	1
RW2	1975	1976	1	30 SF	2
UTILITY BLDG	1975	1976	1	35 SF	1
WALL AIR COND	2000	2001	1	2 UT	2
SEAWALL	1975	2015	1	180 SF	2

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
3/5/2010	\$191,000	Warranty Deed		2456	1807	Q2 - Qualified	Improved
4/1/1978	\$35,000	Conversion Code		760	1007	Q - Qualified	Improved

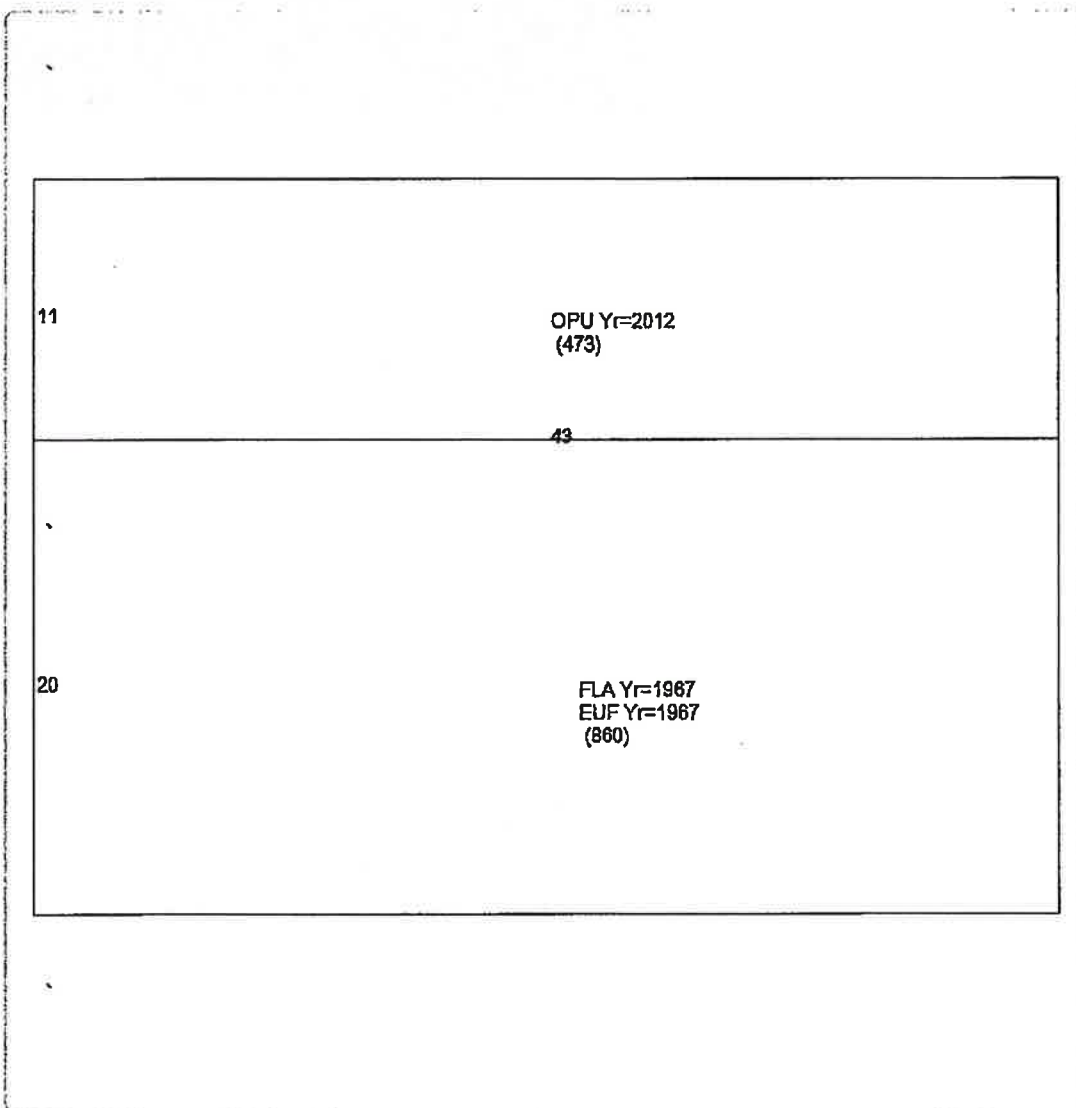
Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
11106184	1/20/2012	1/25/2012	\$4,000	Residential	ATF PERMIT TO CONSTRUCT NEW EXTERIOR STAIRS AND DECK

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)





qPublic.net™ Monroe County, FL

Disclaimer

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

Summary

Parcel ID 00271350-000000
 Account# 1343048
 Property ID 1343048
 Millage Group 100H
 Location 1548 GARDENIA Ln, BIG PINE KEY
 Address
 Legal Description BK 23 LT 11 EDEN PINES COLONY 3RD ADD BIG PINE KEY
 PB5-59 OR396-584E OR433-492 OR467-967-970 OR492-343/344 OR760-1008A/C OR760-1007 OR907-1404D/C OR2430-59 OR2456-1805D/C OR2456-1807
 (Note: Not to be used on legal documents.)
 Neighborhood 635
 Property Class SINGLE FAMILY RESID (0100)
 Subdivision EDEN PINES COLONY 3RD ADD
 Sec/Twp/Rng 15/66/29
 Affordable No
 Housing



Owner

HENRY ROBERT S
 1548 Gardenia Ln
 Big Pine Key FL 33043

Valuation

	2020	2019	2018	2017
+ Market Improvement Value	\$97,875	\$97,875	\$90,605	\$90,884
+ Market Misc Value	\$6,670	\$6,670	\$5,499	\$5,499
+ Market Land Value	\$162,000	\$153,900	\$153,900	\$156,600
= Just Market Value	\$266,545	\$258,445	\$250,004	\$252,983
= Total Assessed Value	\$266,545	\$258,445	\$250,004	\$233,333
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$266,545	\$258,445	\$250,004	\$252,983

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL CANAL (010C)	6,000.00	Square Foot	60	100

Buildings

Building ID 15055
 Style 1 STORY ELEV FOUNDATION
 Building Type S.F.R. - R1 / R1
 Gross Sq Ft 2193
 Finished Sq Ft 860
 Stories 1 Floor
 Condition AVERAGE
 Perimeter 126
 Functional Obs 0
 Economic Obs 0
 Depreciation % 31
 Interior Walls WALL BD/WD WAL

Exterior Walls WD FRAME
 Year Built 1967
 EffectiveYearBuilt 1997
 Foundation CONC BLOCK
 Roof Type GABLE/HIP
 Roof Coverage ROLLED COMPOS
 Flooring Type PLYWD/PR BD
 Heating Type FCD/AIR DUCTED with 0% NONE
 Bedrooms 2
 Full Bathrooms 1
 Half Bathrooms 0
 Grade 450
 Number of Fire Pl 0

Code	Description	Sketch Area	Finished Area	Perimeter
EUF	ELEV UNFIN FD	860	0	126
FLA	FLOOR LIV AREA	860	860	126
OPU	OP PR UNFIN LL	473	0	108
TOTAL		2,193	860	360

Administrative Cost of Prosecution

Case# CE 21040101

Inspector Stan Anders

[illegible]

VEHICLE HOURLY RATE:

Sedans: .35 per min.

Pick-Up Trucks: .37 per min.

Vehicle Rate is to be added to inspector rate Updated 6-22-18

Bal FWD
293.05

Inspector Anders

2

Vehicle Rate is to be added to inspector rate Updated 6-22-18



Monroe County Code

Sec. 20-51. – Mandatory connection.

(a) The owner of an improved parcel of land shall, at the owner's expense, connect the plumbing system of the improvement to an available publicly owned or investor-owned sewerage system within 30 days after written notification by the owner of the publicly owned or investor-owned sewerage system that the system is available for connection, or as otherwise provided by law. The owner of an existing on-site sewage treatment and disposal system shall also be responsible for decommissioning any such on-site sewage treatment and disposal system immediately after connection to the available publicly owned or investor-owned sewerage system.

(b) The publicly owned or investor-owned sewerage system must notify the owner of the property of the availability of the central sewerage system.

(c) No less than one year prior to the date the sewerage system will become available, the publicly owned or investor-owned sewerage system shall notify the affected owner of the anticipated availability of the sewerage system and shall also notify the owner that the owner will be required to connect to the sewerage system within 30 days of the actual availability.

(d) All connections shall be consistent with and governed by the utility's agreement for services with the owner, the utility's construction and connection standards, and all other applicable rules and regulations governing water and wastewater and the provision thereof.

(e) In the event an owner fails or refuses to timely connect the premises, any on-site disposal system and/or a building to the utility's wastewater system within the time prescribed herein, or by state and/or local rules and regulations, the county or utility may seek and employ any legally available remedy to cause or effectuate the connection of the premises to the utility's wastewater system.

(f) In the event the county or the utility is required to seek a writ or order, or otherwise litigate any action compelling connection, all costs of such action experienced by the county and/or the utility, including attorney fees and court costs, may be assessed to the owner.



Monroe County Code

Sec. 110-140. Building Permit Required.

A building permit is required prior to the following:

- (a) Any work specified in Chapter 6 of the Monroe County Code of Ordinances;
- (b) Any change in the land use intensity, density, or use of land authorized as a permitted as-of-right use under this Land Development Code;
- (c) Any change in the use of land or structure from a permitted as-of-right use within a land use district to another listed permitted as-of-right use; and
- (d) Any development authorized by conditional use approval.

Sec. 21-20. Premises to be cleaned and mowed.

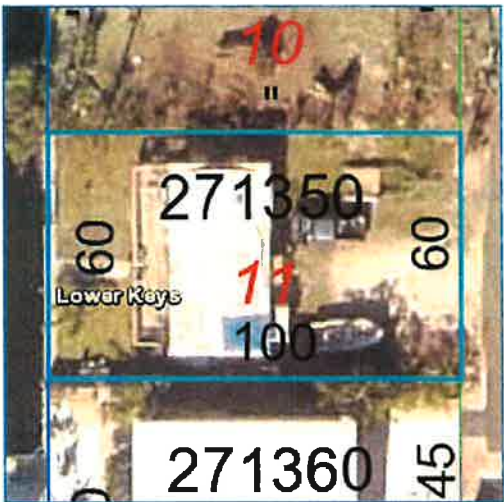
- (a) For the purposes of promoting the health, safety and general welfare of the residents of the county, all lands inside and outside of subdivisions, including vacant lands, and improved property within the unincorporated area of the county, shall be kept cleared of debris, garbage, litter, yard trash, refuse, special solid waste, solid waste, trash, industrial waste and/or that tend to be a breeding place or haven for snakes, rodents, insects, and vermin of all kinds and character, and/or that tend to create a fire hazard, endanger the lives and property of the residents of the county, create a traffic hazard, create a nuisance or unsanitary condition and/or that render the soil or air impure, unwholesome, or unhealthful.
- (b) For the purposes of health, safety, and general welfare of the residents of the county, all commercial and residential lots, vacant or occupied, shall be kept mowed except that for subdivisions located within public acquisition areas, publicly owned vacant lots acquired for conservation and resource protection purposes and private vacant lots subject to a county approved management plan.
- (c) For the purposes of health, safety, and general welfare of the residents of the county, all mulching materials shall be kept or spread at a depth not to exceed eight inches.



Photos



Map



TRIM Notice

2021 Notices Only

No data available for the following modules: Commercial Buildings, Mobile Home Buildings, Exemptions.



[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 9/3/2021, 4:06:51 AM



Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
CONC PATIO	1975	1976	1	63 SF	2
CONCRETE DOCK	1975	1976	1	150 SF	1
RW2	1975	1976	1	30 SF	2
UTILITY BLDG	1975	1976	1	35 SF	1
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Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
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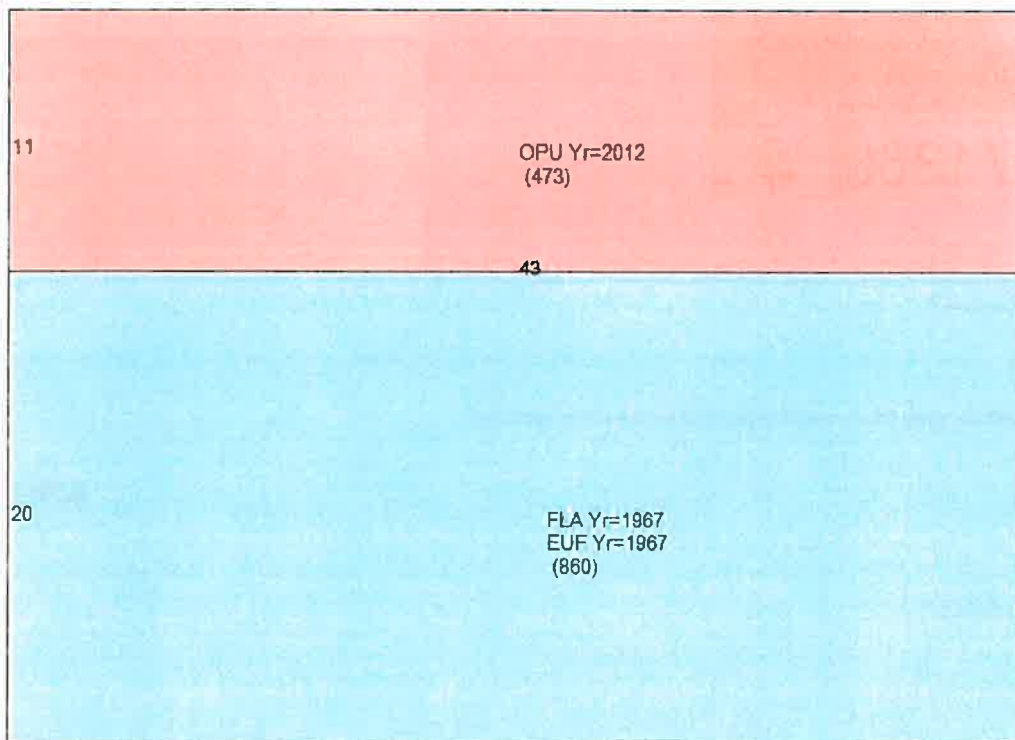
Permits

Number ↕	Date Issued ↕	Date Completed ↕	Amount ↕	Permit Type ↕	Notes ↕
11106184	1/20/2012	1/25/2012	\$4,000	Residential	ATF PERMIT TO CONSTRUCT NEW EXTERIOR STAIRS AND DECK

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



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 Account# 1343048
 Property ID 1343048
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 (Note: Not to be used on legal documents.)
 Neighborhood 635
 Property SINGLE FAMILY RESID (0100)
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 Subdivision EDEN PINES COLONY 3RD ADD
 Sec/Twp/Rng 15/66/29
 Affordable No
 Housing



Owner

HENRY ROBERT S
 1548 Gardenia Ln
 Big Pine Key FL 33043

Valuation

	2021	2020	2019	2018
+ Market Improvement Value	\$96,477	\$97,875	\$97,875	\$90,605
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+ Market Land Value	\$172,800	\$162,000	\$153,900	\$153,900
= Just Market Value	\$275,947	\$266,545	\$258,445	\$250,004
= Total Assessed Value	\$275,947	\$266,545	\$258,445	\$250,004
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$275,947	\$266,545	\$258,445	\$250,004

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Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL CANAL (010C)	6,000.00	Square Foot	60	100

Buildings

Building ID 15055
 Style 1 STORY ELEV FOUNDATION
 Building Type S.F.R. - R1 / R1
 Gross Sq Ft 2193
 Finished Sq Ft 860
 Stories 1 Floor
 Condition AVERAGE
 Perimeter 126
 Functional Obs 0
 Economic Obs 0
 Depreciation % 31
 Interior Walls WALL BD/WD WAL

Exterior Walls WD FRAME
 Year Built 1967
 EffectiveYearBuilt 1997
 Foundation CONC BLOCK
 Roof Type GABLE/HIP
 Roof Coverage ROLLED COMPOS
 Flooring Type PLYWD/PR BD
 Heating Type FCD/AIR DUCTED with 0% NONE
 Bedrooms 2
 Full Bathrooms 1
 Half Bathrooms 0
 Grade 450
 Number of Fire Pl 0

Code	Description	Sketch Area	Finished Area	Perimeter
EUF	ELEV UNFIN FD	860	0	126
FLA	FLOOR LIV AREA	860	860	126
OPU	OP PR UNFIN LL	473	0	108
TOTAL		2,193	860	360

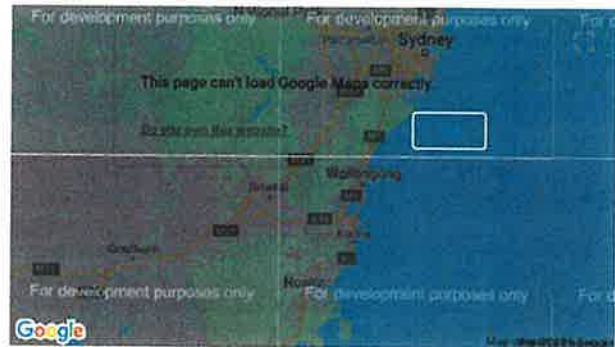




Monroe County Florida Property Information

Summary

Parcel ID 0027135000000
Address 1548 GARDENIA LN
City / State / Zip BIG PINE KEY FL, 33043
Units 2
Owner HENRY ROBERT S



[Click here](#) to be taken to the GIS Web Application to view additional information on this property.

NOTE: The GIS Web Application is a separate application from MCEsearch. Any questions regarding the Web Map Application or its content should be directed to the [GIS Department](#).

Permits

Number	Type	Issued	Status
11100184	STAIRS	01-20-2012	CLOSED

Code Cases

Case Number	Type	Status	Status Date	Board
CE04000246	PHONE CALL	CLOSED CASE	11-04-2004	
CE11090028	REFERRAL	CLOSED CASE	03-12-2012	SM
CE21040101	REFERRAL	OPEN	07-27-2021	SM
CE21060001	E-MAIL	CLOSED	07-28-2021	COMPLAINT

Your privacy is important to us. For more information see our privacy policy. The services, information, and data made available at this website are provided "AS IS" without warranties of any kind. Monroe County and its authorized agents and contractors make no representations or warranties regarding the condition or functionality of this web site, its suitability for use, or that this web service will be uninterrupted or error-free.





August 10, 2020

Dear C2M LLC:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 3247 3400 1214 1440 20.


Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	August 3, 2020, 04:36 p.m.
Location:	BIG PINE KEY, FL 33043
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	HENRY ROBERT S
Reference(s):	373239, 121414402

Destination Delivery Address

Street Address:	1548 GARDENIA LN
City, State ZIP Code:	BIG PINE KEY, FL 33043-6075

Recipient Signature

Signature of Recipient:	
Address of Recipient:	1548 Gardenia

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004





Florida Keys Aqueduct Authority

1100 Kennedy Drive
Key West, Florida 33040
Telephone (305) 296-2454.
www.fkaa.com

Monroe County The Florida Keys

1100 Simonton St
Key West, FL 33050
Telephone (305) 289-2500
www.monroecounty-fl.gov



July 28, 2020

RE: Reminder Notice to Connect to Available Central Wastewater System

Real Estate Number:

Physical Address:

Dear Property Owner:

All properties in the Cudjoe Regional Wastewater System were previously notified of the requirement to connect to the central wastewater system. Pursuant to Monroe County Ordinance No. 017-2002, connection to the system is required.

Our records indicate that you have not completed the process for your wastewater connection.

The steps required to complete the process include:

1. Obtain a septic tank abandonment permit and wastewater connection permit
2. Receive required Inspections and connect to the system
3. Abandon septic tank through the Department of Health; and
4. Close wastewater connection permit through the Monroe County Building Department

Detailed information regarding the connection process may be found at www.CudjoeWastewater.com.

Otherwise, you may contact these specific agencies for any assistance:

- Florida Department of Health: (305) 676-3908 ≡ Septic tank/cesspit abandonment or cistern conversions
- Monroe County Building Department: (305) 289-2501 ≡ Monroe County permitting information
- Florida Keys Aqueduct Authority: (305) 295-2175 ≡ Connection & general project information
- Monroe County Social Services: (305) 292-4408 ≡ Connection funding assistance

If you have completed these steps and believe that you received this notification in error, please contact the Monroe County Building Department at (305) 295-2501 to ensure the permit is closed. The Monroe County Code Compliance Department will begin enforcement proceedings against any property that has not connected within 30 days from the date of this letter.

Should you need additional assistance please contact the FKA at info@fkaa.com or call (305) 296-2454.





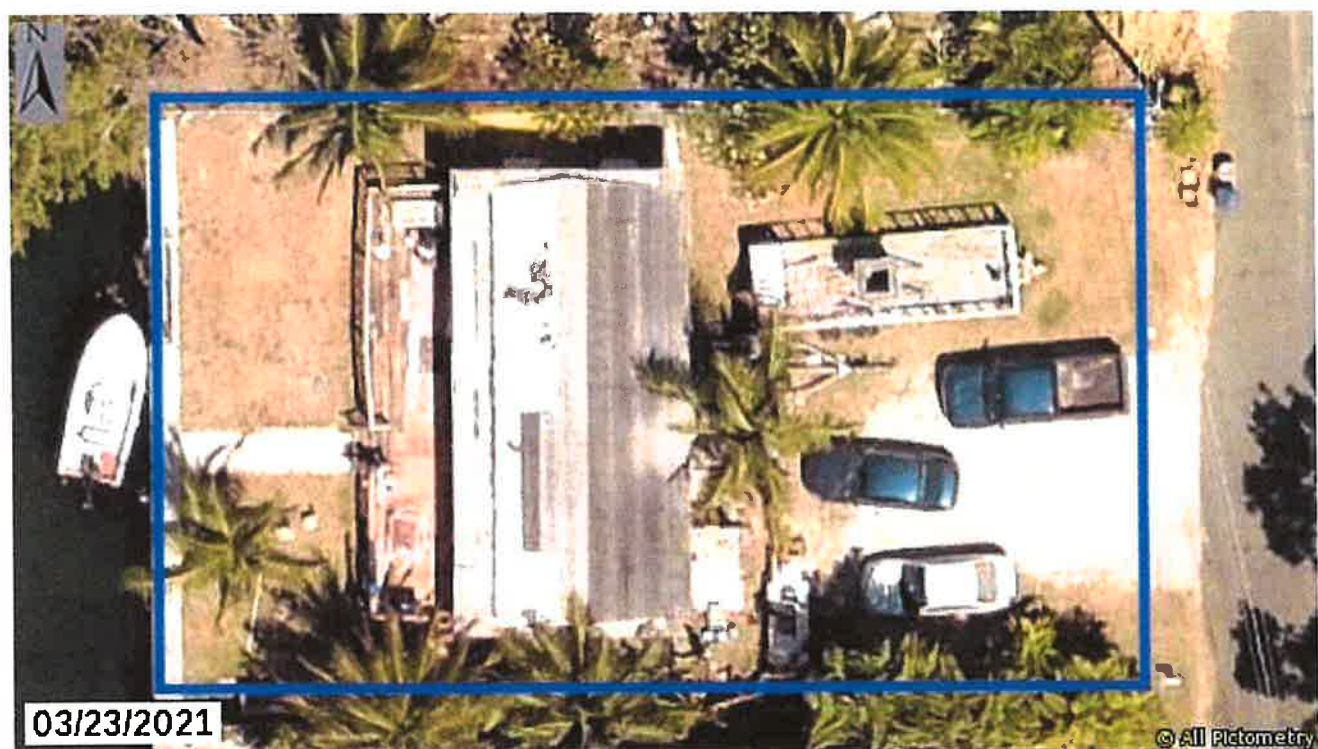
CE21040101 – HENRY
1548 GARDENIA LANE – BIG PINE
INSPECTOR ANDERS – 9/2/2021





CE21040101 – HENRY
1548 GARDENIA LANE – BIG PINE
INSPECTOR ANDERS – 4/26/2021





CE21040101 – HENRY
 1548 GARDENIA LANE – BIG PINE
 GIS – 9-14-17 & 3-23-21

**PETITIONER'S
 EXHIBIT**
 3
 1 of 3

McPherson-Cynthia

From: Bruce Donley <donleyb1@hotmail.com>
Sent: Wednesday, May 26, 2021 10:10 AM
To: McPherson-Cynthia
Subject: Code

CAUTION: This email originated from outside of the County. Whether you know the sender or not, do not click links or open attachments you were not expecting.

Bob Henry owns the property 1548 Gardenia Lane Big Pine Key FL 33043 After hurricane his roof was blown off and the mobile home was in complete disrepair at the time the county red tagged property he received a complete loss from insurance company. He since has patched the roof himself also he has two renters, his place is in complete disrepair—no sewer hook up something needs to be done about this place! My name is Bruce Donley 1536 Gardenia Lane BPK -phone 3177538953 —email is donleyb26@gmail.com

Sent from [Mail](#) for Windows 10





Monroe County Code Compliance Department

102050 Overseas Hwy, Suite 225

Key Largo, FL 33037

Phone: (305) 453-8806 Fax: (305) 453-8819

2798 Overseas Highway, Suite 330

Marathon, FL 33050-2227

Phone: (305) 289-2810 Fax: (305) 289-2858

Community Concerns & Complaint Form

Date: April 23, 2021

Method of Delivery: Phone () In Person () Other () Referral - Building Inspector

Please include details pertaining to the complaint, address of complaint or description of the location. (street name and number, RE#, etc.)

1548 Gardenia - Big Pine Key Construction, without permits.

Follow Up Contact: () None/Anonymous ()

Please indicate the best way to contact you:

Phone: _____

E-mail: _____

Name/Address: _____

Complaint Taken By: D. Marshall



Public Notice

County of Monroe
Code Compliance Department
2795 Overseas Highway
Marathon, Florida 33850



NOTICE OF VIOLATION/NOTICE OF HEARING

To: ROBERT S HENRY
1548 GARDENIA LANE
BIG PINE KEY, FL 33643

Case Number: CE21040101

Location: 1548 GARDENIA LANE, BIG PINE KEY, FL 33643
Re Number: 10221350000000

POSTED

PROPERTY OWNER

You are hereby notified that an investigation of the above property was conducted on 08/06/2021 and violations of the following code(s) of the Monroe County Code:

10-10-01 BUILDING PERMIT REQUIRED
PERMITS, APPROVALS AND ALL FINAL INSPECTIONS ARE REQUIRED
FOR THE REPAIR OF A ROOF

Compliance Action Required

Contact the Monroe County Building and Planning Department
and obtain an order for the full permit to obtain a permit.

NOTE: All permits are paid for in advance and must be
paid for in full at the time of issuance. Additional permits, permit fees,
and inspection fees, if permitted, will be required. The permit fee for a
roof repair is \$1000.00. The permit fee for a roof repair is \$1000.00.
County Code. All permits are required. PAYMENT OF PERMIT
FEE REQUIRED.

10-10-02 MANDATORY CONNECTIONS

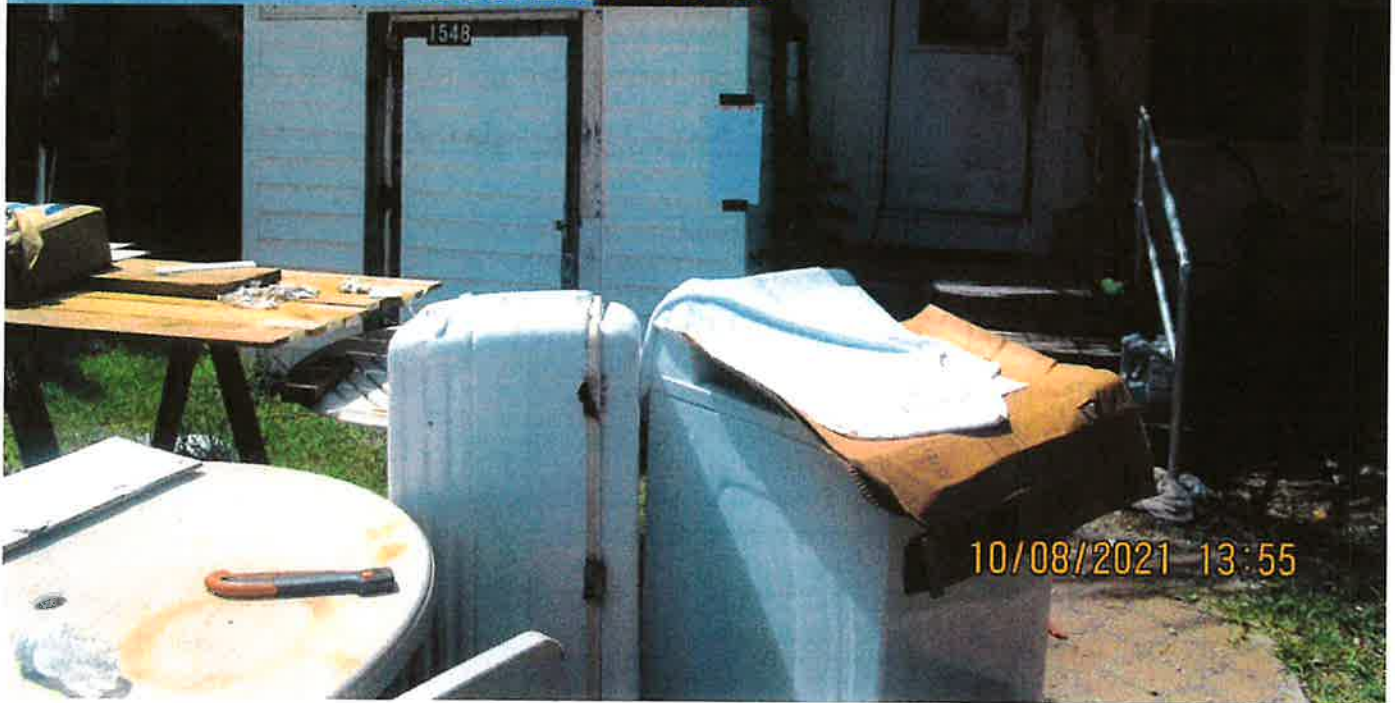
PERMITS TO DISCONNECT OR MANDATORY CONNECTIONS ARE THE ABOVE
STATED PERMITS TO THE CENTRAL POWER SYSTEMS. THE
DISCONNECTING AND/OR SITE WORK OF THE ABOVE AND DISCONNECT
PERMITS WILL BE IN THE DISCONNECT AND/OR SITE WORK.

Compliance Action Required

1. DISCONNECT THE ABOVE DISCONNECT OF DISCONNECT AND/OR SITE
WORK AND/OR SITE WORK.

2. CONTACT THE MONROE COUNTY BUILDING DEPARTMENT FOR A
MANDATORY CONNECTION PERMIT.

10/08/2021 13:55



CE21040101
1548 GARDENIA LANE – BIG PINE
Posting – Property – 10/8/2021

**PETITIONER'S
EXHIBIT**

1 of 11

MONROE COUNTY CODE COMPLIANCE
AFFIDAVIT OF POSTING

CASE: CE21040101
INSP: ANDERS, STAN

I, Stan Anders, Monroe County Code Compliance, declare under penalty of perjury, that I posted the property owned by: HENRY ROBERT S, described as 1548 GARDENIA LN, BIG PINE KEY, FL 33043, having the property RE#: 00271350000000 with the Notice of Violation/Notice of Hearing for this case with a Hearing Date of 10/28/2021.

THIS NOTICE WAS POSTED AT:

☒ SUBJECT PROPERTY AS STATED ABOVE
Date: 10/8/21 Time: 1:55pm

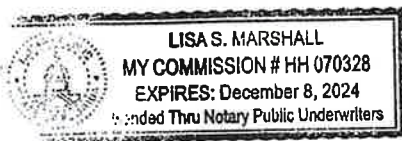
____ Monroe County Courthouse – 500 Whitehead Street, Key West, Florida
Date: _____ Time: _____

____ Monroe County Courthouse – 3117 Overseas Highway, Marathon, Florida
Date: _____ Time: _____

____ Plantation Key Courthouse – 88820 Overseas Highway, Tavernier, Florida
Date: _____ Time: _____

Signature: Stan Anders

Sworn to and subscribed before me this 8 day of October, 2021.



Lisa S. Marshall

Notary Public, State of Florida

CERTIFICATION OF MAILING:

I, Lisa Marshall, Monroe County Code Compliance, declare under penalty of perjury, that I mailed a duplicate copy of the above-mentioned Notice via First Class Mail to: HENRY ROBERT S, 1548 GARDENIA LANE, BIG PINE KEY, FL 33043.

Sworn to and subscribed before me this 14 day of October, 2021
Signature: Lisa Marshall
Kathleen T Windsor

Notary Public, State of Florida



Public Notice

County of Monroe
Code Compliance Department
2798 Overseas Highway
Marathon, Florida 33050



NOTICE OF VIOLATION/NOTICE OF HEARING

To: ROBERT S HENRY
1548 GARDENIA LANE
BIG PINE KEY, FL 33043

Case Number: CE21040101

Location: 1548 GARDENIA LANE, BIG PINE KEY, FL 33043
Re Number: 00271350090000

POSTED
10-8-21
5:44

DEAR PROPERTY OWNER:

You are hereby notified that an investigation of the above property was initiated on 04/26/2021 and subsequently found the following violation(s) of the Monroe County Code:

(10-149) (a) - BUILDING PERMIT REQUIRED
PERMITS, APPROVALS AND ALL FINAL INSPECTIONS ARE
FOR THE REPAIR OF A ROOF

10/08/2021 09:46

Public Notice

Public Notice

Public Notice

Public Notice



Appointment, CPA
Clerk in the Circuit Court & Comptroller - Monroe County, Florida

Clerk to require an appointment for Marriage
Licenses Due to an Increase in Demand

The Monroe County Clerk of Courts and Comptroller,
Kevin Madok, announced that effective December 1,
2020 appointments to apply for a marriage license will
be required.

Appointments may be made by contacting one of the
following locations:

Key West Office
570 Whitehead Street
Key West, FL 33040
(305) 292-3488

Marathon Office
1117 Overseas Highway
Marathon, FL 33050
(305) 289-6027

Plantation Key Office
Key West, Florida



10/08/2021 09:46

CE21040101

1548 GARDENIA LANE – BIG PINE

Posting – Courthouse – 10/8/2021

**PETITIONER'S
EXHIBIT**

19 of 11

MONROE COUNTY CODE COMPLIANCE
AFFIDAVIT OF POSTING

CASE: CE21040101
INSP: ANDERS, STAN

I, Stan Anders, Monroe County Code Compliance, declare under penalty of perjury, that I posted the property owned by: HENRY ROBERT S, described as 1548 GARDENIA LN, BIG PINE KEY, FL 33043, having the property RE#: 00271350000000 with the Notice of Violation/Notice of Hearing for this case with a Hearing Date of 10/28/2021.

THIS NOTICE WAS POSTED AT:

____ SUBJECT PROPERTY AS STATED ABOVE

Date: _____ Time: _____

____ Monroe County Courthouse – 500 Whitehead Street, Key West, Florida

Date: _____ Time: _____

☒ Monroe County Courthouse – 3117 Overseas Highway, Marathon, Florida

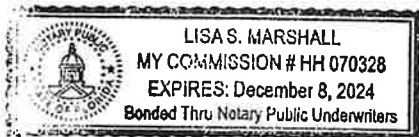
Date: 10/8/21 Time: 9:46am

____ Plantation Key Courthouse – 88820 Overseas Highway, Tavernier, Florida

Date: _____ Time: _____

Signature: Stan Anders

Sworn to and subscribed before me this 8 day of October, 2021.



Lisa S. Marshall
Notary Public, State of Florida

CERTIFICATION OF MAILING:

I, Lisa Marshall, Monroe County Code Compliance, declare under penalty of perjury, that I mailed a duplicate copy of the above-mentioned Notice via First Class Mail to: HENRY ROBERT S, 1548 GARDENIA LANE, BIG PINE KEY, FL 33043.

Signature: Lisa Marshall

Sworn to and subscribed before me this 14 day of October, 2021.

Kathleen T Windsor
Notary Public, State of Florida



MONROE COUNTY
CODE ENFOI

REGISTERED MAIL
RECEIPTS

Complaint Number:
CE 21040101

CERT #:
7018 0360 0000 4982 34

GOOD SERVICE: _____
NO SERVICE: _____

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

Robert S Henry
1548 Gardenia Lane
Big Pine Key FL 33043

CE21040101 JSA



33650-4277

BC: 33050427799

*2005-00771-08-42

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

NIXIE

331 DE 1

0910/14/21



County of Monroe
CODE COMPLIANCE
2798 Overseas Highway, Suite
Marathon, FL, 33050-2227

7018 0360 0000 4982 3414



FL 330

SEP 2021 PM 11 L



UNITED STATES POSTAGE
02 1P
0000269233 SEP 08 2021
MAILED FROM ZIP CODE 33050
\$007.530
PITNEY BOWES

PETITIONER'S
EXHIBIT

17 of 11

Special Magistrate Hearing - October 28, 2021

You are invited to a Zoom webinar.

When: Oct 28, 2021 09:00 AM Eastern Time (US and Canada)

Topic: Special Magistrate Hearing - October 28, 2021

Please click the link below to join the webinar:

<https://mcbocc.zoom.us/j/89158727846>

Or iPhone one-tap :

US: +16465189805,,89158727846# or
+16699006833,,89158727846#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 518 9805 or +1 669 900 6833

Webinar ID: 891 5872 7846

International numbers available:

<https://mcbocc.zoom.us/j/kdaGiRXEbK>



Connection to the Central Sewer System

Contact Information

Upper Keys

- Department of Health (DOH)
305-676-3941
Open Monday- Friday 8-5
- Monroe County Building Department Customer Service
305-453-8800
Open Monday-Friday 8:30 to 3:00
- Key Largo Wastewater Treatment District (KLWTD)
305-451-4019
Open Monday-Friday 8 to 5

Middle Keys

- Department of Health (DOH)
305-676-3941
Open Monday- Friday 8-5
- Monroe County Building Department Customer Service
305-289-2501
Open Monday-Friday 8:30 to 3:00
- Florida Keys Aqueduct Authority (FKAA)
305-745-3991
Open Monday-Friday 8 to 5

Lower Keys

- Department of Health (DOH)
305-293-7500
Open Monday, Wednesday, and Friday 9:30 to 3:30
- Monroe County Building Department Customer Service
305-295-3990
Open Monday-Friday 8:30 to 3:00
- Florida Keys Aqueduct Authority (FKAA)
305-745-3991
Open Monday-Friday 8 to 5

NOTE: For parcels Ocean Side Stock Island

- KW Resort Utilities Corporation
305-295-3301
Open Monday- Friday 8:00 to 4:30



CERTIFICATION OF SERVICE

I hereby certify that a copy hereof has been furnished to the above named addressee(s) by Certified Mail, Return Receipt Request No.: 7018 0360 0000 4982 3414 on Sept 8, 2021.



Code Compliance Department

IF SERVICE IS NOT OBTAINED BY CERTIFIED RETURN RECEIPT MAIL, A TRUE AND ACCURATE COPY OF THIS NOTICE WILL BE POSTED AT THE SUBJECT PROPERTY AND THE MONROE COUNTY COURTHOUSE.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".



If the Special Magistrate finds that violation(s) have occurred, then the Special Magistrate may impose fines, not to exceed \$1,000 per day per violation for a first violation, \$5,000 per day per violation for a repeat violation, and up to \$15,000 per violation if the Special Magistrate finds the violation to be irreparable or irreversible in nature. In addition to such fines, the Special Magistrate may impose additional fines to cover all costs incurred by the County in enforcing its codes. If the County is forced to correct your violation(s), the Special Magistrate may order all costs incurred to be reimbursed to the County. **THE IMPOSITION OF FINES AND/OR COSTS MAY RESULT IN A LIEN AGAINST YOU AND YOUR PROPERTY.**

You may appear and/or be represented by an attorney or authorized agent. If you are represented by an attorney, your attorney is required to file a written notice of appearance with the Liaison for the Special Magistrate, 2798 Overseas Highway, Suite 330, Marathon, FL 33050; Phone: (305) 289-2509, Fax: (305) 289-2858, or email directly to Petrick-Nicole@monroecounty-fl.gov, prior to the date of the hearing. You may request a copy of your case file by filing a public records request online: <https://monroecountyfl.nextrequest.com>. If you are requesting the case file in preparation for your hearing, your request should be submitted no less than ten (10) days prior to your scheduled hearing.

You may request a continuance of the hearing for good cause shown. If you choose to request a continuance, a written request on the County's form must be made at least five (5) business days before the date of the hearing. If you choose to request a continuance, contact the Code Inspector listed below at least five (5) business days before the date of the hearing. A request for continuance DOES NOT GUARANTEE a postponement of your hearing.

If you agree that the violation(s) exist as alleged in this Notice, you may request a Stipulation Agreement in lieu of attending the hearing. If you choose to request a Stipulation Agreement, contact the Code Inspector listed below at least five (5) business days before the date of the hearing. A request for a Stipulation Agreement does not guarantee a postponement of your hearing. It is important that you contact your inspector listed below.

NOTE: IF YOU DECIDE TO APPEAL any decision by the Special Magistrate, you will need to ensure that a verbatim record of the proceedings is made, which shall include the testimony and evidence upon which the appeal is to be based. The appeal must be filed within 30 days of the Special Magistrate's Final Order.

IT IS YOUR RESPONSIBILITY TO CONTACT THE CODE INSPECTOR to confirm that you do not need to attend the hearing(s). Please contact your inspector at the appropriate location:


STAN ANDERS

Code Inspector 305-289-2819

**Middle Keys: 2798 Overseas Highway, Suite 330
Marathon, FL 33050 (305) 289-2810**



3. CONTACT THE WASTEWATER UTILITY IN YOUR AREA TO OBTAIN AN INITIAL INSPECTION FOR APPROVAL TO PROCEED.

CONTACT INFORMATION IS ATTACHED

NOTE: ALL PERMITS AND CONNECTIONS WILL REQUIRE A PASSING FINAL INSPECTION FROM ALL APPROPRIATE AGENCIES. COMPLIANCE WILL BE ACHIEVED WHEN THE MONROE COUNTY PERMIT HAS BEEN CLOSED.

21-20.(a) - PREMISES TO BE CLEANED
PROPERTY NEEDS TO BE CLEANED OF BUT NOT LIMITED TO THE
BATHTUB & DEBRIS NEAR THE MAILBOX

Corrective Action Required:

Remove all debris, garbage, litter and/or items specified by the Code Enforcement Inspector. Removal of said materials does not authorize the cutting or removal of native or other vegetation without a permit if required.

(X) PLEASE TAKE NOTICE that a Public Hearing will be conducted by the Special Magistrate in the above case on 10/28/2021 at 9:00AM at the Monroe County Government Regional Center, 2798 Overseas Hwy., Marathon, Florida. ALL PROPERTY OWNERS, WHO WISH TO PARTICIPATE IN THE HEARING, SHOULD ATTEND VIA ZOOM WEBINAR. INSTRUCTIONS ATTACHED HERETO.

(X) You can avoid attending the hearing if all violation(s) noted above are corrected by 10/20/2021 and you have contacted your inspector. If a violation is corrected and then recurs, or if a violation is not corrected by the time specified, the case may be presented to the Special Magistrate even if the violation has been corrected prior to the hearing.

() The Code Inspector has reason to believe violation(s) or the condition causing the violation(s) presents a serious threat to the public health, safety, and welfare or is irreparable or irreversible in nature, therefore no compliance date has been provided. This case may be presented to the Special Magistrate even if the violation(s) have been corrected prior to the hearing.

() The Code Inspector has reason to believe repeat violation(s) have been found, therefore no compliance date has been provided. This case may be presented to the Special Magistrate even if the repeat violation(s) have been corrected prior to the hearing.



County of Monroe
Code Compliance Department
2798 Overseas Highway
Marathon, Florida 33050



NOTICE OF VIOLATION/NOTICE OF HEARING

To: ROBERT S HENRY
1548 GARDENIA LANE
BIG PINE KEY, FL 33043

Case Number: CE21040101

Location: 1548 GARDENIA LANE, BIG PINE KEY, FL 33043
Re Number: 00271350000000

DEAR PROPERTY OWNER,

You are hereby notified that an investigation of the above property was initiated on 04/26/2021 and subsequently found the following violation(s) of the Monroe County Code:

110-140.(a) - BUILDING PERMIT REQ/CH 6
PERMITS, APPROVALS AND ALL FINAL INSPECTIONS ARE REQUIRED
FOR THE REPAIR OF A ROOF

Corrective Action Required:

Contact the Monroe County Building and Planning Department and obtain an after the fact permit or demolition permit.

NOTE: All permit fees and permit requirements are based on the specific scope of work. Additional permits, permit fees, mitigation fees, or restoration of the property to original condition may be required. The minimum fee for an After The Fact permit is \$500.00 (five hundred dollars) as per Monroe County Code. All permits will require **PASSING FINAL INSPECTIONS**.

20-51.(a) - MANDATORY CONNECTION/SEWER

FAILURE TO COMPLETE THE MANDATORY CONNECTION OF THE ABOVE STATED PROPERTY TO THE CENTRAL SEWER SYSTEM AND/OR DECOMMISSIONING ANY ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEM WITHIN 30 DAYS OF NOTICE OF AVAILABILITY OF SERVICES.

Corrective Action Required:

1. CONTACT THE FLORIDA DEPARTMENT OF HEALTH AND OBTAIN A SEPTIC ABANDONMENT PERMIT.

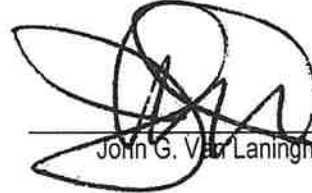
2. CONTACT THE MONROE COUNTY BUILDING DEPARTMENT AND OBTAIN A MONROE COUNTY SEWER LATERAL CONNECTION PERMIT.



In the event of nonpayment of fines and/or costs imposed on Respondent(s), a certified copy of this Order may be recorded in the public records and shall thereafter constitute a lien against the land on which the violation or violations exist and upon any other real or personal property owned by the violator. The County may institute foreclosure proceedings if the lien remains unpaid for three months and/or may sue to recover money judgment for the amount of the lien plus accrued interest. Please make checks payable to Monroe County Code Compliance and mail to: Monroe County Code Compliance, Attn: Office of the Liaison, 2798 Overseas Hwy., Suite 330, Marathon, FL 33050.

IT IS THE RESPONDENT(S) RESPONSIBILITY TO REQUEST A REINSPECTION TO DETERMINE WHETHER THE PROPERTY IS COMPLIANT BY CALLING CODE COMPLIANCE AT (305) 453-8806 FOR THE UPPER KEYS; (305) 289-2810 FOR THE MIDDLE KEYS; (305) 295-4343 FOR THE LOWER KEYS.

DATED this 19TH day of November, 2021.



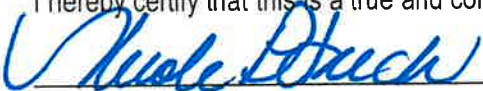
John G. Van Laningham, Special Magistrate

APPEAL PROCEDURES

Respondent(s) shall have 30 days from the date of the foregoing Order of the Special Magistrate to appeal said Order by filing a Notice of Appeal, signed by the Respondent(s). ANY AGGRIEVED PARTY, INCLUDING MONROE COUNTY, MAY HAVE APPELLATE RIGHTS WITH REGARD TO THIS ORDER PURSUANT TO SECTION 162.11, FLORIDA STATUTES. ANY SUCH APPEAL WILL BE LIMITED TO APPELLATE REVIEW OF THE RECORD CREATED BEFORE THE SPECIAL MAGISTRATE. ANY APPEAL MUST BE FILED WITH CIRCUIT COURT WITHIN 30 DAYS OF THE EXECUTION OF THIS ORDER.

CERTIFICATE OF ORDER

I hereby certify that this is a true and correct copy of the above Order.



Nicole Petrick, Liaison

CASE NUMBER: CE21040101

Respondent(s) mailing address of record with the Monroe County Property Appraiser's Office:

ROBERT S HENRY
1548 GARDENIA LANE
BIG PINE KEY, FL 33043

Location of subject property:
1548 GARDENIA LN
BIG PINE KEY, FL 33043

Real Estate Number: 00271350-000000

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Order has been furnished to the Respondent(s) via hand delivery / **first class U.S. mail** to Respondent(s) address of record with the Monroe County Property Appraiser's Office as referenced above and/or Authorized Representative N/A on this 19TH day of November, 2021.



Nicole Petrick, Liaison

BEFORE THE COUNTY CODE COMPLIANCE SPECIAL MAGISTRATE
MONROE COUNTY, FLORIDA

MONROE COUNTY FLORIDA,
Petitioner,

vs.

ROBERT S HENRY
Respondent(s).

Case No.: CE21040101

Subject Property Real Estate Number: 00271350-000000

LIEN / FINAL ORDER

Having fully considered the evidence presented at hearing, including testimony of the Code Compliance Inspector(s) and/or witnesses under oath, the following Findings of Fact and Conclusions of Law are ORDERED:

The Respondent(s) and/or Authorized Representative ROBERT S HENRY was present via zoom webinar November 18, 2021 and did contest the violation(s) set forth in the Notice of Violation/Notice of Hearing which is incorporated herein as if fully set forth.

- (x) The Respondent(s) is/are the owner(s) of property located within Monroe County and was/were duly noticed of the hearing.
- (x) The Respondent(s) is/are in violation of the Monroe County Code(s) as fully set forth in the Notice of Violation/Notice of Hearing served upon the Respondent(s).
- () ONE-TIME FINE - The violation(s) is found to be irreparable or irreversible and a one-time fine of \$ _____ is ORDERED, payable within _____ days of this Order.
- (x) COSTS - Pursuant to Section 162.07(2) of Florida Statutes all costs incurred by the County in prosecuting the case is ordered to be paid within thirty (30) days of compliance. Costs will continue to accrue until compliance is achieved and the case is closed.
- (x) The Respondent(s) shall comply with the Code(s) referred to in the Notice of Violation/Notice of Hearing on or before 05/23/2022 ("THE COMPLIANCE DATE").
- (x) In the event the violation(s) were or are not corrected on the compliance date previously ordered or on the compliance date set forth herein, fine(s) in the dollar amount:

110-140.(a) \$ 100.00

for each day BEGINNING ON THE DAY AFTER THE COMPLIANCE DATE that the Respondent(s) is/are in violation is/are hereby ORDERED.

It is further ordered, that the County is hereby authorized to make all reasonable repairs including demolition which are required to bring the property into compliance and charge the Respondent(s) with the cost of repairs incurred by the County, the costs of prosecution incurred by the County and any fines Ordered in this matter.

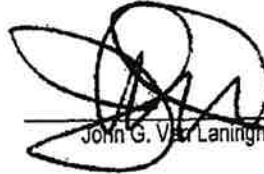
The Respondent(s) were in violation of the MONROE COUNTY CODE(S) as fully set forth in the Notice of Violation/Notice of Hearing filed in this case and did not come into compliance on or before THE COMPLIANCE DATE but are now in compliance. The Respondent(s) shall pay the total amount of cost and/or fines (\$ _____) to Monroe County Code Compliance within thirty (30) days of this Order.

her: The charge of 20-51.(a) and 21-20.(a) are compliant.

In the event of nonpayment of fines and/or costs imposed on Respondent(s), a certified copy of this Order may be recorded in the public records and shall thereafter constitute a lien against the land on which the violation or violations exist and upon any other real or personal property owned by the violator. The County may institute foreclosure proceedings if the lien remains unpaid for three months and/or may sue to recover money judgment for the amount of the lien plus accrued interest. Please make checks payable to Monroe County Code Compliance and mail to: Monroe County Code Compliance, Attn: Office of the Liaison, 2798 Overseas Hwy., Suite 330, Marathon, FL 33050.

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DATED this 19TH day of November, 2021.



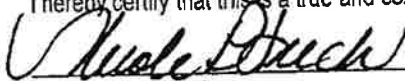
John G. Van Laningham, Special Magistrate

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CERTIFICATE OF ORDER

I hereby certify that this is a true and correct copy of the above Order.



Nicole Petrick, Liaison

CASE NUMBER: CE21040101

Respondent(s) mailing address of record with the Monroe County Property Appraiser's Office:

ROBERT S HENRY
1548 GARDENIA LANE
BIG PINE KEY, FL 33043

Location of subject property:
1548 GARDENIA LN
BIG PINE KEY, FL 33043

Real Estate Number: 00271350-000000

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Order has been furnished to the Respondent(s) via hand delivery / first class U.S. mail to Respondent(s) address of record with the Monroe County Property Appraiser's Office as referenced above and/or Authorized Representative N/A on this 19TH day of November, 2021.



Nicole Petrick, Liaison

BEFORE THE COUNTY CODE COMPLIANCE SPECIAL MAGISTRATE
MONROE COUNTY, FLORIDA

MONROE COUNTY FLORIDA,
Petitioner,

vs.

ROBERT S HENRY
Respondent(s).

Case No.: CE21040101

Subject Property Real Estate Number: 00271350-000000

LIEN / FINAL ORDER

Having fully considered the evidence presented at hearing, including testimony of the Code Compliance Inspector(s) and/or witnesses under oath, the following Findings of Fact and Conclusions of Law are ORDERED:

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110-140.(a) \$ 100.00

for each day BEGINNING ON THE DAY AFTER THE COMPLIANCE DATE that the Respondent(s) is/are in violation is/are hereby ORDERED.

- (x) It is further ordered, that the County is hereby authorized to make all reasonable repairs including demolition which are required to bring the property into compliance and charge the Respondent(s) with the cost of repairs incurred by the County, the costs of prosecution incurred by the County and any fines Ordered in this matter.
- () The Respondent(s) were in violation of the MONROE COUNTY CODE(S) as fully set forth in the Notice of Violation/Notice of Hearing filed in this case and did not come into compliance on or before THE COMPLIANCE DATE but are now in compliance. The Respondent(s) shall pay the total amount of cost and/or fines (\$ _____) to Monroe County Code Compliance within thirty (30) days of this Order.
- (x) Other: The charge of 20-51.(a) and 21-20.(a) are compliant.

CommunityPLUS
 SunGard Public Sector

Code Enforcement Fines - MONROE COUNTY *** LIVE 9.1 ****

NICOLE PETRICK

Details Actions

**Case Information**

Case Number	CE21040101	Origination	5 REFERRAL	Total Fines	3100.00
RE	00271350000000	Board	SM SPECIAL MAGISTRATE	Total Lien	516.41
Address	1548 GARDENIA LN			Balance	3616.41

Violation	Date Ordered	Comply By	Fine Start D...		Settle Amount P...
110-140.(a)	11/19/2021	05/23/2022	05/24/2022	100.00000	
20-51.(a)					
21-20.(a)					

Fine Details

Violation Code	110-140.(a)	Continuous	
Date Ordered	11/19/2021	Comply By	05/23/2022
Fine Start	05/24/2022	Daily Fine	100.00000
Number of Days	31	Suspended Days	0
Current Fine	3,100.00	Complied Date	
Settle Amount		Settle Date	
Amount Paid	0.00000	Last Paid	

Suspended Days

Stop Date	Restart Date

Suspend Days

County of Monroe
The Florida Keys



Code Compliance Department

2798 Overseas Highway
Marathon, Florida 33050
Voice: (305) 289-2810
FAX: (305) 289-2858

Board of County Commissioners

Mayor David Rice, District 4
Mayor Pro Tem Craig Cates, District 1
Michelle Coldiron, District 2
James K. Scholl, District 3
Holly Merrill Raschein, District 5

ROBERT S HENRY
1548 GARDENIA LANE
BIG PINE KEY, FL 33043

June 24, 2022

Subject: Code Case CE21040101
Property Location: 1548 GARDENIA LN, BIG PINE KEY, FL 33043
Real Estate No.: 00271350000000

Dear Property Owner(s),

This letter is to inform you that our records indicate that the violation(s) remain on your property and the fines will continue to run in the amount of \$ 100.00 per day until the property comes into compliance.

Additionally, a lien against your property was recorded in the Official Records of Monroe County on 06/23/22, Book 3180, Page 2238. The current amount of the County's lien is \$ 3,616.41 (fines and costs) which continue to accrue and increase until the case is compliant and closed.

This lien is a lien on the property that was the subject of the code enforcement action **and** upon any and all other real and/or personal property you own.

You can resolve this matter by bringing the property into compliance and remitting payment in full to: Monroe County Code Compliance Department; Attention: Nicole Petrick; 2798 Overseas Highway, Suite 330; Marathon, Florida 33050. The County will then provide a Release and Satisfaction of Lien to you.

If you have achieved compliance, please contact your Code Inspector at the appropriate location.

Middle Keys: 2798 Overseas Highway, Suite 330, Marathon, FL 33050 (305) 289-2810
Upper Keys: 102050 Overseas Highway, Key Largo, FL 33037 (305) 453-8806

Respectfully yours,

Nicole Petrick, Liaison

For questions regarding this letter, please contact your Inspector,

Cynthia McPherson 305-289-2508 McPherson-Cynthia@monroecounty-fl.gov

I am also travelling back to NJ may 20th to 24th. I outright own two houses in NJ one at 708 Longfellow Rd in Woodbine NJ is going up for sale on may 20th when i sign the paperwork. I will be using Debbie tweed from monihan realty in Ocean City NJ to sell the home. I plan to use all the proceeds as a down payment on a modular or to contribute to use for site prep and /or building costs. The other house is at 557 pine place Marmora, NJ I will be using it as collateral to secure the new construction loan. I have spoken to the bank and they are ready and willing to loan me the money. As luck would have it I am able to live at Bahia Honda state park in an employee owned trailer while the new house is being built.

I will file for the demo permit when I return from NJ on the 24th or as soon as I get the survey from Reese and Co. The secretary said it should be ready within a week of the survey being done on May 18th. I have done a site plan and know my setbacks. I have an area 45 feet wide by 55 feet long to work with according to my own site plan based on a 60 by 100ft lot

I will be contacting Eddie from discount rock and sand for a demo price once I get the permit. I have been working with a few modular home companies to determine the cost of a new home. So far it's looking like I will most likely go with southern structures to build a new modular home. The one I want is 206k plus delivery costs and site preparation. They told me even if I put the deposit down today I am still 18 months out till the house can be delivered. I will need time to demo and to have the engineering and concrete piers designed and constructed anyway.

I also know the county won't issue a building permit until I close the demo permit. I am sure this is going to be a process to build a new home but I don't want to spend money to repair it only to have the county tell me I need to tear it down because I have exceeded the 50% rule.

Please let me know what I need to do or who to contact to avoid a daily fine and or hire a lawyer to litigate this case. If I have to tear off the temporary repair and tarp my roof I will do that if needed to avoid the fine for not properly permitting my temporary roof repair..Possibly you can give me a few more weeks to file for the demo permit. I will file for the demo permit before june 15th as long as reese surveying keeps their may18th date which i set up over a month ago.

thanks again

Bob Henry

Please review the document. If you have questions, please contact me. If you are in agreement, your signature must be notarized. You may scan the entire document back to me to begin the approval process. The original document must be mailed by first class mail to the address below.

Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
Marathon, FL 33050
(305) 289-2508
McPherson-Cynthia@monroecounty-fl.gov

HELP US TO HELP YOU!

Please note: Florida has a very broad public records law. Most written communications to or from the County regarding County business are public record, available to the public and media upon request. Your email communication may be subject to public disclosure.

From: wannabe conch <wannabeconch@gmail.com>
Sent: Friday, May 13, 2022 10:31 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Subject: CE21040101

...

CAUTION: This email originated from outside of the County. Whether you know the sender or not, do not click links or open attachments you were not expecting.

I tried to send this to Stan Anders but got back an automatic reply that he no longer works for the county. Since you are in charge of code compliance I figured I would contact you to find out who now has my case file.

This is in reference to case # CE210401101.

After calling two dozen roof contractors and two getting back to me with estimates. I have determined that with all the costs needed to repair my house and roof I will soon exceed the 50% rule. The lowest bid was from Bob Hilson for 15k for an 1100 square foot roof that does not include any engineering wind load costs or plywood replacement which will then add at least 10k to the original 15k estimate. I also need to replace the deck and other assorted repairs. Anyway, I am not going to throw good money after bad. I have decided to demo and rebuild a new modular home. I would really like a concrete home but that's gonna be north of 500K so I will go with a modular and hopefully keep it under 400k

I have contacted the original survey company to come do a survey on my property. Reese surveying on Big pine key is set to come out on may 18th to survey the property. I have paid them \$750 to do the survey. I will need this survey to submit with the demo permit. I will tear off my temporary repair that still does not leak and cover my roof with a tarp if that is what it takes to avoid a fine until I can submit for the demo permit.

McPherson-Cynthia@monroecounty-fl.gov

HELP US TO HELP YOU!

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From: McPherson-Cynthia

Sent: Wednesday, June 8, 2022 3:00 PM

To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>

Cc: Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>

Subject: RE: CE21040101

Mr. Henry,

To date, the County has not received a signed and notarized Enlargement of Time to Comply sent to you on 5-14-22. Your original compliance date, May 23, 2022, has come and gone. Without this signed document extending your compliance period to August 31, 2022, the County will have to place a lien on your property for noncompliance.

Please return the signed/notarized document by Wednesday, June 15, 2022. If you have questions, please let me know.

Thank you.

Cynthia

Cynthia J. McPherson, CFM

Sr. Director, Code Compliance

Monroe County Code Compliance

2798 Overseas Hwy #330

Marathon, FL 33050

(305) 289-2508

McPherson-Cynthia@monroecounty-fl.gov

HELP US TO HELP YOU!

Please note: Florida has a very broad public records law. Most written communications to or from the County regarding County business are public record, available to the public and media upon request. Your email communication may be subject to public disclosure.

From: McPherson-Cynthia

Sent: Saturday, May 14, 2022 1:36 PM

To: wannabe conch <wannabeconch@gmail.com>

Subject: RE: CE21040101

Mr. Henry,

I am in receipt of your email. I will be your inspector of record now that Inspector Anders has left. I understand your circumstances. I have attached an Enlargement of Time to Comply with a new compliance date of August 31, 2022. Please be reminded you will be in compliance once the demo permit is closed. The length of time to rebuild is not a factor.

home. Hopefully that happens when I am in NJ later this month.. Once I have a signed contract on the home from the factory and the associated builder to complete the project I will file for the demo permit

The original violation is for a temporary repair to my roof that was completed shortly after hurricane Irma, Even though I have had no problem with my roof leaking since the temporary repair was done, I will be removing the temporary repair and covering the area with a blue tarp. Just like I did after Irma, as soon as I saw the rolled composite roofing was torn off by the hurricane force wind.

The violation was for the temporary repair done without a permit. Removing the temporary repair will then remove the violation will it not? Irma/Act of God removed the original roof

I built a new deck on this house when I first moved here without getting a permit. The county took me to court and I had two choices: get an engineered drawing, build the deck to the specs and file an ATF permit . Choice # 2 was to remove the deck and the case would be closed. I chose #1, spent about \$5000 and kept the deck. This is exactly why I did no permanent repairs on my home after Irma!!

Following this logic but against my better judgement I am choosing choice 2 (remove the temporary repair) not by choice but it's better than a daily fine. I am sure my neighbors are going to hate my Blue Tarp as will I but you leave me little choice. I will have the tarp on by Sunday June 19th. let me know when you want to inspect the temporary repair removal so i can meet an inspector there to remove the tarp so they can inspect my bare plywood roof

I If you are going to force the situation with a full roof replacement, then I will get a signed contract to replace my roof by august 31st. from experience dealing with roofing companies I don't think the contractor will be able to get it done before 8/31/2022. I just recieved my site survey from Reese on June 8th that took almost two months. If I am forced to spend north of 20K to put on a new roof then I will have Hammerhead tent the home for termites and continue to live in my house, slightly unhappy but the case will be closed. Hopefully in 10 or so years I will start the rebuilding process. I am sure my neighbors won't mind a bit with the old school TLC pink house next door.

If you choose to fine me daily then I will have no choice but to hire a lawyer and spend my money as a Monroe County taxpayer and every other County taxpayer's money going to court to fight for my right to live in my home as it is till I can rebuild. The ball is in your court so to speak. Let me know if I am getting a daily fine and need to hire a lawyer or as I would expect removing the violating temporary repair will remove the violation and thus close the case so I can continue the new home building process.

Respectfully Frustrated

Bob Henry

On Wed, Jun 8, 2022 at 3:01 PM McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov> wrote:

Mr. Henry,

Please see below.

Thanks.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
Marathon, FL 33050
(305) 289-2508

Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
Marathon, FL 33050
(305) 289-2508
McPherson-Cynthia@monroecounty-fl.gov

HELP US TO HELP YOU!

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From: wannabe conch <wannabeconch@gmail.com>
Sent: Tuesday, June 14, 2022 11:13 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Subject: Re: FW: CE21040101

CAUTION

I received your email request to sign the agreement to enlarge compliance date. The fact that it restricts most of my rights as the respondent and limits the appeal process I will not be willing to sign the documents as it was sent to me for my signature. I do not want to be held to the 8/31/2022 demo date, that is a very short timeline set by the county that I find impossible to meet. You already know what I want to do with the property. It is going to take more than 75 days to get a new house built. Per our last email exchange, you would like me to open and close a demo permit by 8/31/22 to bring my case into compliance.

This started because of a temporary repair to my roof reported by my former friend and neighbor Bruce Donnelly. Bruce would like nothing more than for me to build a new home. He can't stand my house and has said so on many occasions to myself and my guests. He has repeatedly reported me to code compliance to no avail. Supposedly the county has legal authority to tell me I have to replace my roof. I am doing my best not to consult an attorney but I feel like I am being put into a corner. I own the lot and house outright without mortgage or liens. I just want to build a new home! I need some time to weigh my options with builders and modular home companies. This is a very large expenditure for me and decisions that I will have to live with for the rest of my life.

Since I want to rebuild versus replacing the roof you want the house torn down ASAP. I will not tear down a perfectly sound, liveable, in need of some TLC house that has been there since 1967. I live in the home along with a friend from NJ. I have had full time occupants in my house since two years before Irma. As soon as I was allowed back into the keys the house was reoccupied.

I don't want to start the demo process until I have a signed contract on a new home. that is at least 2 or 3 months with the current backlog for factory built homes. It will be another 12 to 18 months to have a modular home built and delivered, I will also need to sell my woodbine, NJ house to be able to help finance the new

Let's also be clear, you want me to sign a document to demolish the structure by 08/31/2022 and not have a house to live in anymore. you want an empty lot for the next 12 to 18 months while the building process takes place. This will render me homeless for a long extended period of time that is unacceptable to me but obviously it is of no concern to yourself or Monroe County that you represent!!!

Alas, my hope of building a new home is most likely not going to ever happen let alone in the near future.. I will now be getting the roof replaced and my house will now be here for a lot longer due to not signing a one sided document that does everything to protect the county and lay the blame and costs on myself.

My mortgage free 1967 conch house will not be demolished. anytime soon I will fix it up slowly but surely over the next 10 years so as not to exceed the 50% rule. .On the bright side my NJ home will still be sold for a great price. My Florida taxes will still be much lower at about 3k a year than they would be on a new structure. Bruce, my neighbor, is not going to be a happy camper when he sees that blue tarp going up.

I have contacted Weller Engineering and for about \$1500 they will do my required wind load calculations so I can get the roof replacement permit pulled in the very near future. After some Florida statutes research, I also realize I may have some injunctive relief because my house was modular/manufactured and is worth less than 300k.

This is now the reality of my situation due to the county imposing a daily fine for a violation that will no longer exist

I have asked many questions in this email to which I would be very appreciative if you could reply with detailed answers. I know this email being subject to public record you will be very short and to the point in your reply. but if you only answer one question let it be this one *I really want to know what Monroe county statute I will now be violating with my mostly blue tarp covered bare wood roof?* .

Still respectfully frustrated

Bob Henry

On Wed, Jun 15, 2022 at 10:40 AM McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov> wrote:

Mr. Henry,

I am in receipt of your email and have reviewed the case. The Notice of Violation/Hearing noted three charges (code sections) allegedly in violation as indicated below. Code sections 20-51 (a) and 21-20 (a) were compliant prior to hearing leaving the one charge of 110-140(a). The charge was found in violation and a compliance date was given of May 23, 2022.

110-140.(a) Permits Required – Roof Repair

20-51 (a) Mandatory Wastewater Connection

21-20(a) Premises to be Cleaned

On May 14, 2022, prior to the compliance date, I received an email from you indicating your decision to demolish the structure. That would not be accomplished prior to the compliance ordered on May 23, 2022. An enlargement to the compliance date was discussed in order to facilitate the demolition without fines accruing. A draft was sent to you for your review. The document was not returned which was for the reason for my most recent email to you.

I understand the timing and/or circumstances may have changed. Removing the repair, temporary or permanent, does not resolve the issue. Typically, I would offer to change the Enlargement of Time to Comply date to another date (within reason) so that would allow time for the demolition of the structure. However, you have indicated the unwillingness to sign such a document. As a reminder, the decision of demolition in lieu of repairing would resolve the code case with a closed permit. The actual rebuilding of a new structure does not factor in to compliance. The County will continue its process for noncompliance.

If you check the county records you will see that I have resolved the other two non compliance issues. my sewer was connected and my premises were cleaned up.. this was noted at the formal hearing i had with stan anders.. you see the sewer permit was opened and closed. my sewer line is installed. that fixed that violation. I cleaned up the property and former county code compliance employee, Stan Anders came by and checked it and said it was in compliance at the hearing..that cleared up that violation. The only issue left is a roof repair that I am removing so what is the violation? if I removed the unpermitted repair please specify what is the violation? I had an unpermitted deck and was told by Rhonda the Monroe code compliance inspector if I removed the violating deck the case would be closed.. following that same logic I have an unpermitted roof repair and will remove it by sunday june 19th why then will this not remove the violation? What is my actual violation? now two of the 3 violations have been fixed. county records show they were completed.. So I ask again when the temporary unpermitted roof repair is completely removed, what is the violation? it can no longer be an unpermitted roof repair because it's not there any more. What am I in violation of now?

Are you telling me that I can't have a blue tarp covering my roof?

There are 4 houses just in my local neighborhood with blue tarp roofs. I looked them up tby tax records to get names and info and see that none of them have special magistrate cases lodged against them.. **logically you are now telling me that a blue tarp on my roof is a violation. Is that not correct?**

Because you have stated "**Removing the repair, temporary or permanent, does not resolve the issue**". Please tell me what is the "issue" now since there is no longer a temporary repair? How is it not resolved? if it's the blue tarped roof? Then by logic all tarped roofs should have a code case against them. If that's the case I will start making notes of all the tarped roofs and report them as code violations. After june 19th, that's what will cover my roof. I am not sure how that's a violation. **Do I need a permit to put on a blue tarp on my leaky roof?**

Once again, what is my violation? Please be specific because the "**110-140.(a) Permits Required – Roof Repair**" **will no longer be on my house;** it will be removed and at the cudjoe key dump. I will happily provide the dump receipt and meet you on site to show the temporary repair was removed

So I ask for **WHAT IS THE VIOLATION**. Please explain and cite the actual violation. Obviously it can no longer be an unpermitted roof repair. it just does not make any sense to me. What am I violating now?

Is the county telling me they have the right to force me to replace my roof?

If it's a new violation for tarping my roof then shouldn't there be a new code case opened against my property? I remedied two of the three and removed the third violation. How does that not resolve the 3rd violation?

With all this special magistrate litigation going to cost me hard earned time and money. You have backed me into a corner so to speak and I feel I have no choice.

Now I will be spending 20k to have my 1100 sq foot roof replaced because the tarps only last 3 months till they will need to be replaced.

McPherson-Cynthia

From: wannabe conch <wannabeconch@gmail.com>
Sent: Tuesday, June 21, 2022 5:09 PM
To: McPherson-Cynthia
Subject: Re: FW: CE21040101

CAUTION

I signed a contract for a new roof today paid in full the \$15,600 contract price for the new roof. The company is called all area keys roofing in marathon.they will pull a permit this week and the roof will be done asap she said it will be completed before the 2nd week of July at the latest their phone number 305 743 4400 feel free to call and verify that I have a signed and paid in full contract with their company please add this email to my file too in hopes of avoiding a fine and a court case as you now know I will be getting a new roof.
Bob Henry

On Tue, Jun 21, 2022, 1:45 PM McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov> wrote:
Mr. Henry,
Your email has been received and will become part of your file. As previously stated, the county will move forward in its usual manner for noncompliance.
Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
Marathon, FL 33050
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McPherson-Cynthia@monroecounty-fl.gov

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From: wannabe conch <wannabeconch@gmail.com>
Sent: Wednesday, June 15, 2022 1:08 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Subject: Re: FW: CE21040101

CAUTION

FEES

Fees subject to change during permit application or inspection processing. The Fee Amount displayed reflects applied credits noted in the Credit Amount column.

"" indicates balance due on fee.**

Fee ID - Description	Quantity	Fee Amount	Paid to date	Credit Amount	Credit Remark
OABLD2PR - 50% DUE APP BLD>=\$5K 2 BLD PR	\$15,600.00	\$151.34	\$151.34	\$0.00	
OBBLD2PR - 50% DUE ISS BLD>=\$5K 2 BLD PR	\$15,600.00	\$151.34	\$151.34	\$0.00	
OBPLNEG5 - 100% DUE ISS PLN>=\$5K	\$15,600.00	\$118.40	\$118.40	\$0.00	
B- 0 EDUC - BLDG. EDUCATION FEE	\$1.00	\$2.00	\$2.00	\$0.00	
CONT-INVES- CONTRACTOR INVESTIGATO	\$1.00	\$11.00	\$11.00	\$0.00	
DBPR - SURCHARGE DBPR(1.35%)BLDG FEE	\$306.68	\$4.14	\$4.14	\$0.00	
DBPR RE ED- RETAINED DBPR ED(.15%)BLDG FEE	\$306.68	\$46	\$0.46	\$0.00	
DCA - SURCHARGE DCA(.90%)BLDG FEE	\$306.68	\$2.76	\$2.76	\$0.00	
DCA RE ED - SURCHARGE DCA(.10%)BLDG FEE	\$306.68	\$31	\$0.31	\$0.00	
F- 0 EDUC - FLOOD EDUCATION FEE	\$1.00	\$2.00	\$2.00	\$0.00	
		TOTAL	\$443.75	\$0.00	

CONTRACTORS

GENERAL CONTRACTOR

General Contractor	KEYS ALL AREA ROOFING INC	Contractor ID	15331
Address	3988 OVERSEAS HWY	Status	A
City / State / Zip	MARATHON FL, 33050		
Phone	(305) 743-4400		
Bus Tax Receipts Exp	09-30-2022	COC Expires	
State Expires	08-31-2024		
Workers Comp Expires	12-31-2022	Liability Ins Expires	08-15-2023

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- DEVELOPMENT AS CONFORMING OR DEEMED AS LAWFUL
- DEVELOPMENT AS LAWFUL.
- THE GROWTH MANAGEMENT DIVISION RESERVES THE RIGHT
- TO REQUIRE THAT SUCH DEVELOPMENT BE BROUGHT INTO
- COMPLIANCE THROUGH THE PROPER APPROVAL PROCESS
- OR TERMINATED UPON FUTURE DISCOVERY. WORK NOT TO
- EXCEED EXISTING FOOTPRINT.
- FOR EXEMPT- BLDG VALUE BELOW \$300K)
- EXEMPT FROM ROOF TO WALL CONNECTION PROVISION PER
- FS 553.884 SEC 101.
- MUST COMPLY WITH FASTENING & SECONDARY WATER
- BARRIER PROVISIONS.
- (FOR NON EXEMPT- BLDG VALUE 300K & ABOVE)
- PER FS 553.884 SEC 101, AN INSPECTION AFFIDAVIT IS
- REQUIRED PRIOR TO FINAL ROOF INSPECTION.
-
- ALL DEBRIS TO BE REMOVED TO A PERMITTED DISPOSAL
- FACILITY.
- INSPECTIONS REQUIRED PER PERMIT CARD.
- NO PLAN DEVIATION ALLOWED WITHOUT A REVISED
- PERMIT
- NO OTHER WORK THIS PERMIT.
- DEEMED NON-DEVELOPMENT, DEO EXEMPT.
- *****
-
- CODE REVIEW: PERMIT WILL SATISFY CODE CASE
- CE21040101 FOR ROOF REPAIR WITHOUT PERMIT, DEMO
- REPAIR AND REPLACE ROOF, APPROVALS, PERMITS AND
- ALL INSPECTIONS REQUIRED, CONTACT INSPECTOR
- MCPHERSON AT 305.289.2508 ONCE PERMIT IS CLOSED.
- CJM
- *****
- **
-

PLAN REVIEWS

Plan Review activity is sorted to display the most recent review activities completed; sorted descending by Sent Date. Therefore all pending or incomplete review activities will appear at the top of the list. You may also change the sort order, by any one column, by selecting the Up or Down arrow displayed next to the column title.

Select  at the top of each section to see/print all notes

Review Stop	Number	Status	Status Date	Received By	Received Date	Sent To	Sent Date
PERMIT READY TO ISSUE	1	LOGGED	07-18-2022	fausetts	07-15-2022	FILE	07-18-2022
FINAL REVIEW	1	ACCEPTED (NO INSPECTION)	07-14-2022	antetomj	07-14-2022	READY	07-14-2022
FLOOD PLAIN MANAGEMENT	1	NOT REQUIRED	07-13-2022	ackers	07-13-2022	OFF DES	07-13-2022
BUILDING STRUCTURAL/ROOF	1	PASSED (INSPECTION REQD)	07-13-2022	ackers	07-13-2022	FLOOD	07-13-2022
BUILDING OFFICIAL DESIGNEE	1	PASSED (INSPECTION REQD)	07-13-2022	ackers	07-13-2022	FINAL	07-13-2022
CODE COMPLIANCE MARATHON	1	LOGGED	06-26-2022	mcpherc	06-26-2022	EXAM	06-26-2022
MARATHON BUILDING DEPT	1	LOGGED	06-24-2022	windsork	06-24-2022	CODE ENF 2	06-24-2022

INSPECTIONS

Inspection activity is sorted to display the most recent completed inspection; sorted descending by Inspection Date. Therefore all pending or incomplete inspections will appear at the top of the list. You may also change the sort order, by any one column, by selecting the Up or Down arrow displayed next to the column title.

Select  at the top of each section to see/print all notes

Inspection Code - Description	Number	Result	Fail Code - Description	Inspector	Scheduled Date	Inspection Date
R-MIT - ROOF MITIGATION	1	P - PASS		MUEE	08-10-2022	08-09-2022
DOC ROUTED - DOCUMENT RECD/ROUTED FOR REV	1	P - PASS		MCKJ	08-08-2022	08-08-2022
294 - FINAL ROOF	1	P - PASS		MUEE	08-05-2022	08-05-2022
200 - ROOF DRY-IN	1	P - PASS		MUEE	07-21-2022	07-21-2022
210 - ROOF IN PROGRESS	1	P - PASS		MUEE	07-21-2022	07-21-2022
NCR - NOTICE OF COMMENCEMENT RCRD	1	P - PASS		FAUSS	07-18-2022	07-18-2022



Monroe County Florida Permit Information

PLEASE NOTE: FEES LISTED ARE ESTIMATES ONLY. BEFORE WRITING ANY CHECKS PLEASE CONTACT THE BUILDING DEPARTMENT TO CONFIRM.

Parcel ID 00271350000000
Permit Number 22101712
Permit Type 38 - ROOFING-RESIDENTIAL
Property Address 1548 GARDENIA LN
Status CLOSED 8-10-22

[Permit](#) [Plan Reviews](#) [Inspections](#) [Fees](#) [Contractors](#) [ALL](#)

PERMIT INFORMATION

Application Date	06-24-2022	Operator	windsork
Issue Date	07-18-2022	Operator	fausetts
Certificate Date		Operator	
Certificate Type		Project Number	
Applied Value	\$15,600.00	Usage Class	RES
Contractor ID	15331	Sq Ft	1350

OWNER ON PERMIT

Name HENRY ROBERT S
Address 1548 GARDENIA LANE
City/State/Zip BIG PINE KEY , FL 33043

PERMIT CONDITIONS

- 1548 GARDENIA LN EDEN PINES COLONY BIG PINE KEY
- RE-ROOF
- NOTICE OF COMMENCEMENT REQUIRED
- *****
- All documentations, including but not limited to
- corrections, revisions, clarifications, or
- engineering letters, must be submitted to an
- appropriate Building Department location.
-
- PERMIT APPROVAL TO REMOVE AND REPLACE 1350 SQ FT
- OF EXISTING ROOF MATERIAL AS PER APPROVED PLANS.
- INSTALL POLYGLASS UNDERLAYMENT.
- INSTALL 3"X3" CUSTOM EAVE DRIP
- INSTALL POLYGLASS MODIFIED BITUMAN ROOF
-
- FLOODPLAIN MANAGMENT APPROVAL (IF PRE-FIRM)
-
- PLANNING DEPARTMENT DID NOT REVIEW THIS
- APPLICATION.
- THERE MAY BE DEVELOPMENT AND/OR LAND USE ISSUES
- ON THE SITE THAT ARE NO LONGER IN COMPLIANCE WITH
- A COUNTY REGULATION(S) OR ESTABLISHED UNLAWFULLY
- WITHOUT THE BENEFIT OF PROPER APPROVALS.
- APPROVAL OF THIS PERMIT DOES NOT DEEM ALL

CommunityPLUS
 SunGard Public Sector

Code Enforcement Fines - MONROE COUNTY *** LIVE 9.1 ****

NICOLE PETRICK

Details Actions

Case Information

Case Number CE21040101 Origination 5 - REFERRAL Total Fines 7800.00
 RE 00271350000000 Board SM - SPECIAL MAGISTRATE Total Lien 540.71
 Address 1548 GARDENIA LN Balance 8340.71

Violation	Date Ordered	Comply By	Fine Start D...	Settle Amount P ...
110-140.(a)	11/19/2021	05/23/2022	05/24/2022	100.00000
20-51.(a)				0.00000
21-20.(a)				0.00000

Fine Details

Violation Code 21-20.(a) Continuous
 Date Ordered ☐ Comply By ☐
 Fine Start ☐ Daily Fine ☐
 Number of Days ☐ Suspended Days 0
 Current Fine ☐ Complied Date ☐

Suspended Days

Stop Date	Restart Date

Version 9.1

communityplus/gas2.50-cp/wa/sua/3834c245d3ed3517b90873983ce9d199/7

MONROE COUNTY *** LIVE 9.1 ****

SunGard Public Sector] www.sungardcs.com (http://www.sungardcs.com)

CommunityPLUS
SunGard Public Sector

Code Enforcement Fines - MONROE COUNTY *** LIVE 9.1 ****

NICOLE PETRICK

Details	Actions

Case Information

Case Number CE21040101 Origination 5 - REFERRAL Total Fines 7800.00
 RE 00271350000000 Board SM - SPECIAL MAGISTRATE Total Lien 540.71
 Address 1548 GARDENIA LN Balance 8340.71

Violation	Date Ordered	Comply By	Fine Start D...	Settle Amount P...
110-140.(a)	11/19/2021	05/23/2022	05/24/2022	100.00000
20-51.(a)				0.00000
21-20.(a)				0.00000

Fine Details

Violation Code 20-51.(a) Continuous
 Date Ordered Comply By
 Fine Start Daily Fine 0.00000
 Number of Days 0 Suspended Days 0
 Current Fine 0.00 Completed Date

Suspended Days

Stop Date	Restart Date

CommunityPLUS
SunGard Public Sector

Code Enforcement Fines - MONROE COUNTY *** LIVE 9.1 ****

NICOLE PETRICK

Details		Actions	
<div> <div> </div> <div> </div> </div>			
Case Information			
Case Number	CE21040101	Origination	5 - REFERRAL
RE	00271350000000	Board	SM - SPECIAL MAGISTRATE
Address	1548 GARDENIA LN		
		Total Fines	7800.00
		Total Lien	540.71
		Balance	8340.71
Violation			
110-140.(a)	Date Ordered	11/19/2021	
20-51.(a)	Comply By	05/23/2022	
21-20.(a)	Fine Start D...	05/24/2022	
		Settle Amount P...	100.00000
			0.00000
			0.00000
Fine Details			
Violation Code	110-140.(a)		
Date Ordered	11/19/2021	Comply By	05/23/2022
Fine Start	05/24/2022	Daily Fine	100.00000
Number of Days	78	Suspended Days	0
Current Fine	7,800.00	Complied Date	08/10/2022
Version 9.1			
communityplus/gas2.50-cp/wa/sua/3834c245d3ed3517b90873983ce9d199/7			
MONROE COUNTY *** LIVE 9.1 ****			
SunGard Public Sector www.sungard.com www.sungard.com			

Petrick-Nicole

From: Petrick-Nicole
Sent: Friday, September 23, 2022 12:56 PM
To: McPherson-Cynthia
Subject: CE21040101 Henry
Attachments: CE21040101 Screenshot 2022-09-23 120035.png; CE21040101 Fines and Costs Letter.docx; FINAL ORDERLIEN 062322_CE21040101 Henry.pdf

Cynthia,

I fixed the glitch on the fine screen (there was a compliance date entered in the field on the charge of 21-21.(a) even though there were not fines that were entered or ran because the two other charges were compliant prior to the hearing). I removed the compliance date entry and the fine then populated the screen as normal (see screenshot).

I do recall the events of this case. A Final Order entered on 11/19/21 which ordered a compliance date of 05/23/22. Since Mr. Henry did not return the signed enlargement the Final Order remains in effect.

To no avail, you made several attempts to have Mr. Henry sign the enlargement and explaining that by doing so, this agreement would extend his compliance date to which no fines would accrue. On 06/21/22 you informed Mr. Henry that the County would "move forward in its usual manner for non-compliance..." . Therefore, on 06/23/22 the lien was filed and the Lien letter was mailed by me the next day.

Fines in the amount of \$100.00 for the charge of 110-140.(a) ran from 05/24/22 to 08/09/22 (78 days) totaling \$7,800.00
Costs to date are \$540.71.

Therefore, the total amount of the County's Lien is \$8,340.71.

I have **attached a draft letter** of notification of compliance/ fines and costs due for your review and signature for mailing.

Nicole Petrick, Liaison, CPM

Monroe County Code Compliance
2798 Overseas Highway, Suite 330
Marathon, FL 33050

Phone: (305)289-2509
Fax: (305) 289-2858
Email: Petrick-Nicole@monroecounty-fl.gov
Website: www.monroecounty-fl.gov

County of Monroe
The Florida Keys



Code Compliance Department

2798 Overseas Highway
Marathon, Florida 33050
Voice: (305) 289-2810
FAX: (305) 289-2858

Board of County Commissioners

Mayor David Rice, District 4
Mayor Pro Tem Craig Cates, District 1
Michelle Coldiron, District 2
James K. Scholl, District 3
Holly Merrill Raschein, District 5

ROBERT S HENRY
1548 GARDENIA LANE
BIG PINE KEY, FL 33043

FILE COPY

October 3, 2022

Subject: Code Case CE21040101
Property Location: 1548 GARDENIA LN, BIG PINE KEY, FL 33043
Real Estate No.: 00271350000000

Dear Property Owner(s),

This letter is to inform you that a lien against your property was recorded in the Official Records of Monroe County on June 23, 2022 at Book 3180, Page 2238. This lien is a lien on the property that was the subject of the code compliance action and upon any and all other real and/or personal property you own.

This case was deemed compliant on August 10, 2022. Therefore, the daily fine(s) totaling \$ 100.00 per day accrued 78 days (May 24, 2022 – August 9, 2022) for a fine total of \$ 7,800.00.

Additionally, per F.S. §162.07(2), if the local governing body prevails in prosecuting a case before the enforcement board, it shall be entitled to recover all costs incurred in prosecuting the case before the board and such costs may be included in a lien authorized under F.S. §162.09(3). To date, these costs are \$ 540.71 and costs will continue to accrue until the fines/costs are satisfied and the case is closed.

Therefore, the current amount due Monroe County is \$ 8,340.71 (\$ 7,800.00 fines and \$ 540.71 costs).

You can resolve this matter by remitting a check within thirty (30) days made payable to Monroe County Code Compliance to:

Monroe County Code Compliance Department
Attention: Nicole Petrick
2798 Overseas Highway, Suite 330
Marathon, Florida 33050

Please note the case number on the check and indicate to whom we should mail the original release. It shall be the recipient's responsibility to record the release in the Official Records at the Clerk of Courts.

Respectfully yours,

A handwritten signature in black ink that reads "Cynthia J. McPherson".

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance
305-289-2508 McPherson-Cynthia@monroecounty-fl.gov



wannabe conch <wannabeconch@gmail.com>

CE21040101

9 messages

wannabe conch <wannabeconch@gmail.com>

Fri, May 13, 2022 at 10:30 PM

To: McPherson-Cynthia@monroecounty-fl.gov

I tried to send this to Stan Anders but got back an automatic reply that he no longer works for the county. Since you are in charge of code compliance I figured I would contact you to find out who now has my case file.

This is in reference to case # CE210401101.

After calling two dozen roof contractors and two getting back to me with estimates. I have determined that with all the costs needed to repair my house and roof I will soon exceed the 50% rule. The lowest bid was from Bob Hilson for 15k for an 1100 square foot roof that does not include any engineering wind load costs or plywood replacement which will then add at least 10k to the original 15k estimate. I also need to replace the deck and other assorted repairs. Anyway, I am not going to throw good money after bad. I have decided to demo and rebuild a new modular home. I would really like a concrete home but that's gonna be north of 500K so I will go with a modular and hopefully keep it under 400k

I have contacted the original survey company to come do a survey on my property. Reese surveying on Big pine key is set to come out on may 18th to survey the property. I have paid them \$750 to do the survey. I will need this survey to submit with the demo permit. I will tear off my temporary repair that still does not leak and cover my roof with a tarp if that is what it takes to avoid a fine until I can submit for the demo permit.

I am also travelling back to NJ may 20th to 24th. I outright own two houses in NJ one at 708 Longfellow Rd in Woodbine NJ is going up for sale on may 20th when i sign the paperwork. I will be using Debbie tweed from monihan realty in Ocean City NJ to sell the home. I plan to use all the proceeds as a down payment on a modular or to contribute to use for site prep and /or building costs. The other house is at 557 pine place Marmora, NJ I will be using it as collateral to secure the new construction loan. I have spoken to the bank and they are ready and willing to loan me the money. As luck would have it I am able to live at Bahia Honda state park in an employee owned trailer while the new house is being built.

I will file for the demo permit when I return from NJ on the 24th or as soon as I get the survey from Reese and Co. The secretary said it should be ready within a week of the survey being done on May 18th. I have done a site plan and know my setbacks. I have an area 45 feet wide by 55 feet long to work with according to my own site plan based on a 60 by 100ft lot

I will be contacting Eddie from discount rock and sand for a demo price once I get the permit. I have been working with a few modular home companies to determine the cost of a new home. So far it's looking like I will most likely go with southern structures to build a new modular home. The one I want is 206k plus delivery costs and site preparation. They told me even if I put the deposit down today I am still 18 months out till the house can be delivered. I will need time to demo and to have the engineering and concrete piers designed and constructed anyway.

I also know the county won't issue a building permit until I close the demo permit. I am sure this is going to be a process to build a new home but I don't want to spend money to repair it only to have the county tell me I need to tear it down because I have exceeded the 50% rule.

Please let me know what I need to do or who to contact to avoid a daily fine and or hire a lawyer to litigate this case. If I have to tear off the temporary repair and tarp my roof I will do that if needed to avoid the fine for not properly permitting my temporary roof repair. Possibly you can give me a few more weeks to file for the demo permit. I will file for the demo permit before june 15th as long as reese surveying keeps their may18th date which i set up over a month ago.

thanks again

Bob Henry

McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov>

Sat, May 14, 2022 at 1:35 PM

To: wannabe conch <wannabeconch@gmail.com>

Mr. Henry,

I am in receipt of your email. I will be your inspector of record now that Inspector Anders has left. I understand your circumstances. I have attached an Enlargement of Time to Comply with a new compliance date of August 31, 2022. Please be reminded you will be in compliance once the demo permit is closed. The length of time to rebuild is not a factor.

Please review the document. If you have questions, please contact me. If you are in agreement, your signature must be notarized. You may scan the entire document back to me to begin the approval process. The original document must be mailed by first class mail to the address below.

Thank you.

Cynthia J. McPherson, CFM

Sr. Director, Code Compliance

Monroe County Code Compliance

2798 Overseas Hwy #330

Marathon, FL 33050

(305) 289-2508

McPherson-Cynthia@monroecounty-fl.gov

HELP US TO HELP YOU!

Please note: Florida has a very broad public records law. Most written communications to or from the County regarding County business are public record, available to the public and media upon request. Your email communication may be subject to public disclosure.

From: wannabe conch <wannabeconch@gmail.com>
Sent: Friday, May 13, 2022 10:31 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Subject: CE21040101

CAUTION: This email originated from outside of the County. Whether you know the sender or not, do not click links or open attachments you were not expecting.

[Quoted text hidden]

 **Henry-Enlargement of Time to Comply.pdf**
78K

McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov>
To: wannabe conch <wannabeconch@gmail.com>
Cc: Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>

Wed, Jun 8, 2022 at 3:01 PM

Mr. Henry,
Please see below.
Thanks.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
Marathon, FL 33050
(305) 289-2508
McPherson-Cynthia@monroecounty-fl.gov

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From: McPherson-Cynthia
Sent: Wednesday, June 8, 2022 3:00 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Cc: Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>
Subject: RE: CE21040101

Mr. Henry,

To date, the County has not received a signed and notarized Enlargement of Time to Comply sent to you on 5-14-22. Your original compliance date, May 23, 2022, has come and gone. Without this signed document extending your compliance period to August 31, 2022, the County will have to place a lien on your property for noncompliance.

Please return the signed/notarized document by Wednesday, June 15, 2022. If you have questions, please let me know.

Thank you.

Cynthia

Cynthia J. McPherson, CFM
Sr. Director, Code Compliance

Monroe County Code Compliance
2798 Overseas Hwy #330
Marathon, FL 33050


(305) 289-2508

McPherson-Cynthia@monroecounty-fl.gov

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[Quoted text hidden]

 **Henry-Enlargement of Time to Comply.pdf**
78K

wannabe conch <wannabeconch@gmail.com>

Tue, Jun 14, 2022 at 11:13 PM

To: McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov>

I received your email request to sign the agreement to enlarge compliance date. The fact that it restricts most of my rights as the respondent and limits the appeal process. I will not be willing to sign the documents as it was sent to me for my signature. I do not want to be held to the 8/31/2022 demo date, that is a very short timeline set by the county that I find impossible to meet. You already know what I want to do with the property. It is going to take more than 75 days to get a new house built. Per our last email exchange, you would like me to open and close a demo permit by 8/31/22 to bring my case into compliance.

This started because of a temporary repair to my roof reported by my former friend and neighbor Bruce Donelly. Bruce would like nothing more than for me to build a new home. He can't stand my house and has said so on many occasions to myself and my guests. He has repeatedly reported me to code compliance to no avail. Supposedly the county has legal authority to tell me I have to replace my roof. I am doing my best not to consult an attorney but I feel like I am being put into a corner. I own the lot and house outright without mortgage or liens. I just want to build a new home! I need some time to weigh my options with builders and modular home companies. This is a very large expenditure for me and decisions that I will have to live with for the rest of my life.

Since I want to rebuild versus replacing the roof you want the house torn down ASAP. I will not tear down a perfectly sound, liveable, in need of some TLC house that has been there since 1967. I live in the home along with a friend from NJ. I have had full time occupants in my house since two years before Irma. As soon as I was allowed back into the keys the house was reoccupied.

I don't want to start the demo process until I have a signed contract on a new home. that is at least 2 or 3 months with the current backlog for factory built homes. It will be another 12 to 18 months to have a modular home built and delivered, I will also need to sell my woodbine, NJ house to be able to help finance the new home. Hopefully that happens when I am in NJ later this month. Once I have a signed contract on the home from the factory and the associated builder to complete the project I will file for the demo permit

The original violation is for a temporary repair to my roof that was completed shortly after hurricane Irma. Even though I have had no problem with my roof leaking since the temporary repair was done, I will be removing the temporary repair and covering the area with a blue tarp. Just like I did after Irma, as soon as I saw the rolled composite roofing was torn off by the hurricane force wind.

The violation was for the temporary repair done without a permit. Removing the temporary repair will then remove the violation will it not? Irma/Act of God removed the original roof

I built a new deck on this house when I first moved here without getting a permit. The county took me to court and I had two choices: get an engineered drawing, build the deck to the specs and file an ATF permit. Choice # 2 was to remove the deck and the case would be closed. I chose #1, spent about \$5000 and kept the deck. This is exactly why I did no permanent repairs on my home after Irma!

Following this logic but against my better judgement I am choosing choice 2 (remove the temporary repair) not by choice but it's better than a daily fine. I am sure my neighbors are going to hate my Blue Tarp as will I but you leave me little choice. I will have the tarp on by Sunday June 19th. let me know when you want to inspect the temporary repair removal so I can meet an inspector there to remove the tarp so they can inspect my bare plywood roof

I If you are going to force the situation with a full roof replacement, then I will get a signed contract to replace my roof by august 31st. from experience dealing with roofing companies I don't think the contractor will be able to get it done before 8/31/2022. I just recieved my site survey from Reese on June 8th that took almost two months. If I am forced to spend north of 20K to put on a new roof then I will have Hammerhead tent the home for termites and continue to live in my house, slightly unhappy but the case will be closed. Hopefully in 10 or so years I will start the rebuilding process. I am sure my neighbors won't mind a bit with the old school TLC pink house next door.

If you choose to fine me daily then I will have no choice but to hire a lawyer and spend my money as a Monroe County taxpayer and every other County taxpayer's money going to court to fight for my right to live in my home as it is till I can rebuild. The ball is in your court so to speak. Let me know if I am getting a daily fine and need to hire a lawyer or as I would expect removing the violating temporary repair will remove the violation and thus close the case so I can continue the new home building process.

Respectfully Frustrated

Bob Henry

[Quoted text hidden]

McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov>

Wed, Jun 15, 2022 at 10:40 AM

To: wannabe conch <wannabeconch@gmail.com>

Cc: Dugan-Kelly <Dugan-Kelly@monroecounty-fl.gov>, Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>

Mr. Henry,

I am in receipt of your email and have reviewed the case. The Notice of Violation/Hearing noted three charges (code sections) allegedly in violation as indicated below. Code sections 20-51 (a) and 21-20 (a) were compliant prior to hearing leaving the one charge of 110-140(a). The charge was found in violation and a compliance date was given of May 23, 2022.

110-140.(a) Permits Required – Roof Repair

20-51 (a) Mandatory Wastewater Connection

21-20(a) Premises to be Cleaned

On May 14, 2022, prior to the compliance date, I received an email from you indicating your decision to demolish the structure. That would not be accomplished prior to the compliance ordered on May 23, 2022. An enlargement to the compliance date was discussed in order to facilitate the demolition without fines accruing. A draft was sent to you for your review. The document was not returned which was for the reason for my most recent email to you.

I understand the timing and/or circumstances may have changed. Removing the repair, temporary or permanent, does not resolve the issue. Typically, I would offer to change the Enlargement of Time to Comply date to another date (within reason) so that would allow time for the demolition of the structure. However, you have indicated the unwillingness to sign such a document. As a reminder, the decision of demolition in lieu of repairing would resolve the code case with a closed permit. The actual rebuilding of a new structure does not factor in to compliance. The County will continue its process for noncompliance.

Thank you.

Cynthia

Cynthia J. McPherson, CFM

Sr. Director, Code Compliance

Monroe County Code Compliance

2798 Overseas Hwy #330

Marathon, FL 33050

(305) 289-2508

McPherson-Cynthia@monroecounty-fl.gov

HELP US TO HELP YOU!

Please note: Florida has a very broad public records law. Most written communications to or from the County regarding County business are public record, available to the public and media upon request. Your email communication may be subject to public disclosure.

From: wannabe conch <wannabeconch@gmail.com>
Sent: Tuesday, June 14, 2022 11:13 PM
To: McPherson-Cynthia <McPherson-Cynthia@MonroeCounty-FL.Gov>
Subject: Re: FW: CE21040101

CAUTION

[Quoted text hidden]

wannabe conch <wannabeconch@gmail.com>
 To: McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov>

Wed, Jun 15, 2022

If you check the county records you will see that I have resolved the other two non compliance issues. my sewer was connected and my premises were cleaned up.. this was noted at the for hearing i had with stan anders.. you see the sewer permit was opened and closed. my sewer line is installed. that fixed that violation. I cleaned up the property and former county code compli employee, Stan Anders came by and checked it and said it was in compliance at the hearing..that cleared up that violation. The only issue left is a roof repair that I am removing so what is the violation? if I removed the unpermitted repair please specify what is the violation? I had an unpermitted deck and was told by Rhonda the Monroe code compliance inspector if I removed t violating deck the case would be closed.. following that same logic I have an unpermitted roof repair and will remove it by sunday june 19th why then will this not remove the violation? What i actual violation? now two of the 3 violations have been fixed. county records show they were completed.. So I ask again when the temporary unpermitted roof repair is completely removed, the violation? it can no longer be an unpermitted roof repair because it's not there any more. What am i in violation of now?

Are you telling me that I can't have a blue tarp covering my roof?

There are 4 houses just in my local neighborhood with blue tarp roofs. I looked them up tby tax records to get names and info and see that none of them have special magistrate cases lodge them.. **logically you are now telling me that a blue tarp on my roof is a violation. Is that not correct?**

Because you have stated "**Removing the repair, temporary or permanent, does not resolve the issue**". Please tell me what is the "issue" now since there is no longer a temporary. **How is it not resolved?** if it's the blue tarped roof? Then by logic all tarped roofs should have a code case against them. If that's the case I will start making notes of all the tarped roofs and them as code violations. After june 19th, that's what will cover my roof. I am not sure how that's a violation. **Do I need a permit to put on a blue tarp on my leaky roof?**

Once again, what is my violation? Please be specific because the "**110-140.(a) Permits Required – Roof Repair**" **will no longer be on my house; it will be removed and at the cudjoe dump. I will happily provide the dump receipt and meet you on site to show the temporary repair was removed**

So I ask for WHAT IS THE VIOLATION. Please explain and cite the actual violation. Obviously It can no longer be an unpermitted roof repair. It just does not make any sense to n am i violating now?_

Is the county telling me they have the right to force me to replace my roof?

If it's a new violation for tarping my roof then shouldn't there be a new code case opened against my property? I remedied two of the three and removed the third violation. How i not resolve the 3rd violation?

With all this special magistrate litigation going to cost me hard earned time and money. You have backed me into a corner so to speak and I feel I have no choice. Now I will be spending 20k to have my 1100 sq foot roof replaced because the tarps only last 3 months till they will need to be replaced.

Let's also be clear, you want me to sign a document to demolish the structure by 08/31/2022 and not have a house to live in anymore. you want an empty lot for the next 12 to 18 while the building process takes place. This will render me homeless for a long extended period of time that is unacceptable to me but obviously it is of no concern to yourself o County that you represent!!

Alas, my hope of building a new home is most likely not going to ever happen let alone in the near future.. I will now be getting the roof replaced and my house will now be here for a lot longer not signing a one sided document that does everything to protect the county and lay the blame and costs on myself.

My mortgage free 1967 conch house will not be demolished. anytime soon I will fix it up slowly but surely over the next 10 years so as not to exceed the 50% rule. .On the bright side my NJ hc still be sold for a great price. My Florida taxes will still be much lower at about 3k a year than they would be on a new structure. Bruce, my neighbor, is not going to be a happy camper when h that blue tarp going up.

I have contacted Weller Engineering and for about \$1500 they will do my required wind load calculations so I can get the roof replacement permit pulled in the very near future. After some Fla statutes research, I also realize I may have some injunctive relief because my house was modular/manufactured and is worth less than 300k. This is now the reality of my situation due to the county imposing a daily fine for a violation that will no longer exist

I have asked many questions in this email to which I would be very appreciative if you could reply with detailed answers. I know this email being subject to public record you will be very sh the point in your reply, but if you only answer one question let it be this one *I really want to know what Monroe county statute I will now be violating with my mostly blue tarp covered bare w*

Still respectfully frustrated

Bob Henry

[Quoted text hidden]

McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov>
 To: wannabe conch <wannabeconch@gmail.com>
 Cc: Dugan-Kelly <Dugan-Kelly@monroecounty-fl.gov>, Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>

Tue, Jun 21, 2022 at 1:45 PM

Mr. Henry,

Your email has been received and will become part of your file. As previously stated, the county will move forward in its usual manner for noncompliance.

[Quoted text hidden]

wannabe conch <wannabeconch@gmail.com>

Tue, Jun 21, 2022 at 5:09 PM

To: McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov>

I signed a contract for a new roof today paid in full the \$15,600 contract price for the new roof. The company is called all area keys roofing in marathon. they will pull a permit this week and the roof will be done asap she said it will be completed before the 2nd week of July at the latest their phone number 305 743 4400 feel free to call and verify that I have a signed and paid in full contract with their company please add this email to my file too in hopes of avoiding a fine and a court case as you now know I will be getting a new roof.

Bob Henry

[Quoted text hidden]

McPherson-Cynthia <McPherson-Cynthia@monroecounty-fl.gov>

Wed, Jun 22, 2022 at 8:45 AM

To: wannabe conch <wannabeconch@gmail.com>

Cc: Dugan-Kelly <Dugan-Kelly@monroecounty-fl.gov>, Petrick-Nicole <Petrick-Nicole@monroecounty-fl.gov>

Mr. Henry,

Your email has been received and will be placed in the file. Your compliance date pursuant to the Final Order by the Special Magistrate was May 23, 2022. An Enlargement of Time to Comply was drafted and forwarded for review and signature on May 14, 2022 to avoid the accrual of fines and placement of a lien for noncompliance. The document was not signed or returned with unwillingness to do so per your email on June 14, 2022.

To review, compliance will be achieved when the permit is closed.

[Quoted text hidden]

**MONROE COUNTY CODE COMPLIANCE
SPECIAL MAGISTRATE**

Monroe County Code Compliance
Petitioner

vs.

Case Number CE21040101

Robert S Henry
Respondent(s)

In the matter of: 1548 Gardenia Lane, Big Pine Key, FL 33043
Re# 00271350-000000

**AGREEMENT TO ENLARGE COMPLIANCE DATE
AND ORDER APPROVING SAME**

The Petitioner Monroe County Code Compliance by and through the undersigned Code Compliance Inspector and Robert S Henry, hereby agree to the following:

1. The final Order dated November 19, 2021 ordered a compliance date of May 23, 2022. I am not going to be compliant by that date.
2. Respondent(s) agrees that the violation(s) still exists in the above captioned matter and;
 - (a) The parties are now agreeing to an extension to the compliance date of August 31, 2022.
 - (b) The Respondent waives the right to appeal any finding of violation or order that he or she would otherwise have under Section 162.11, Florida Statutes.
 - (c) The Final Order dated November 19, 2021, and any evidence in the Code Compliance file will be deemed the record in the case; and
3. The property will be checked for compliance on August 31, 2022. (New compliance date).

4. The parties understand that a fine of \$100.00 per day shall accrue daily if the property is not brought into compliance within the time specified in paragraph 3. The fines will accrue as follows:

110-140. (a) \$100.00 per day

5. The Respondent(s) agree to pay all costs incurred in prosecuting the case within 30 days of compliance and that such costs may be imposed as a lien under Section 162.09(2)(d), Florida Statutes, and Monroe County Code section 8-29(b).

6. The Respondent(s) specifically agrees that this Agreement may be recorded in the public records of the County and if recorded shall constitute notice to subsequent purchasers, successors in interests, or assigns that the violations of Monroe County Code 110-140. (a) exist. This Agreement shall be recorded as a lien against the property and upon any other real or personal property owned by the Respondent(s) if the property is not brought into compliance by the date specified in paragraph 3.

7. Respondent(s) agrees and represents that Respondent(s) entered into this Agreement of the Respondent(s)'s own free will. Respondent(s) further understands and agrees that he/she has the right to consult with counsel prior to signing this Stipulation, and has done so or has elected to waive this right. The parties understand and agree that the Respondent(s) may revoke this Agreement and that such revocation must be done in writing or done in person with Inspector McPherson by the end of business May 27, 2022..

By signing this Agreement, both parties represent that they have the authority to enter into this agreement and further, that they have READ, UNDERSTOOD, AND CONSENT to its terms and conditions.

Signature of Respondent(s) / Date

Print Name

STATE OF _____
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

_____ who, after first being sworn by me, affixed his/her signature (name of individual signing) in the space provided above on this _____ day of _____ 20____

NOTARY PUBLIC

Signature of Respondent(s) / Date

Print Name

STATE OF _____
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

_____ who, after first being sworn by me, affixed his/her signature (name of individual signing) in the space provided above on this _____ day of _____ 20____

NOTARY PUBLIC

Signature of Petitioner (County) / Date

Inspectors name

STATE OF _____
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

_____ who, after first being sworn by me, affixed his/her signature (name of individual signing) in the space provided above on this _____ day of _____ 20____

NOTARY PUBLIC

