

**BEFORE THE CODE COMPLIANCE SPECIAL MAGISTRATE
IN AND FOR THE CITY OF KEY WEST, FLORIDA**

**THE CITY OF KEY WEST,
Plaintiff,**

**Case Nos.:16-1130, 16-1167,
16-1169,16-1129**

Vs.

**KEY COVE LANDINGS, LLC;
EDWIN O. SWIFT, III, MGR;
CHRISTOPHER BELLAND, R/A,
Respondent.**

_____ /.

SETTLEMENT AGREEMENT

RECITALS

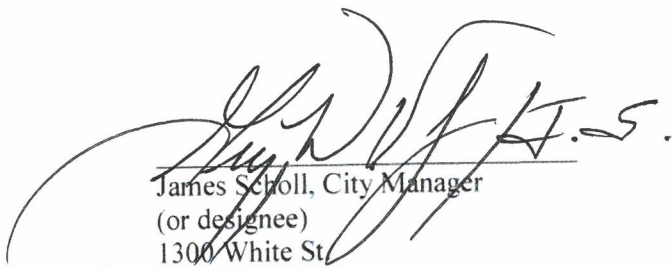
WHEREAS, The Respondent was cited for advertising 2 properties in the City of Key West as being available for transient rental on 2 different websites; VRBO.com and homeaway.com in the 4 above captioned cases in violation of Sec. 18-601 and Sec. 122-1371(d)(9) of the Code of Ordinances for the City of Key West, and

WHEREAS, after meetings with city representatives, the Respondent has since rectified the alleged violations by making the necessary corrections to said web pages in order for the properties to not be advertised as transient rentals as defined in the Code of Ordinances for the City of Key West,


NOW, THEREFORE, THE PARTIES ENTER INTO THIS SETTLEMENT AGREEMENT AS FOLLOWS:

1. City acknowledges that the website advertisements are now in compliance.
2. Respondent does not admit the violations, however, Respondent does not contest the violations as a matter of convenience.
3. The parties acknowledge that a transient transfer of licenses was attempted to be made for these 2 properties from a zoning district that still permits transient use, to a zoning district that currently allows for transient use, without having the gone through DRC review or Planning Board review or approvals in accordance with Section 122-1339 – Transfer of transient business tax receipt. and Section 122-1340 Development Review Committee and Planning Board Review.
4. Respondent agrees to review every website advertisement on which they are advertising their properties to ensure compliance with all of the relevant transient rental ordinances.
5. A Finding of Violation will be entered by the Special Magistrate, however no fines will be assessed. Costs will be paid in the amount of \$250.00 for all cases, concurrently.

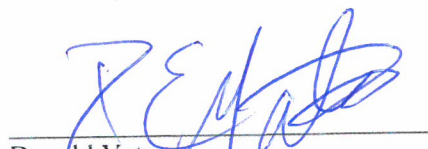
Entered into this 15th day of February, 2017 by:



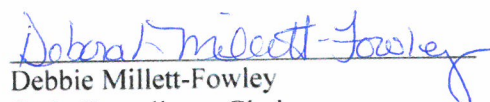
James Scholl, City Manager
(or designee)
1300 White St.
Key West, FL 33040



Edwin O. Swift, III
Manager, Key Cove Landings, LLC
201 Front St., Suite 107
Key West, FL 33040



Donald Yates
Special Magistrate
City of Key West



Debbie Millett-Fowley
Code Compliance Clerk
City of Key West