



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail Code Compliance Hearing

Wednesday, November 18, 2015

1:30 PM

Old City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

Call Meeting to Order

Code Violations

1

Case # 15-794

Edwin O Swift

Historic Tours of America

809 Terry Lane

Sec. 14-40 Permits in historic districts

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

Officer Bonnita Badgett

Certified Service: 8-11-2015

Initial Hearing: 9-30-2015

Continuance granted to January 27, 2016

Count 1: For failure to obtain a certificate of appropriateness for the fence and gate. **Count 2:** For failure to obtain a building permit for the fence and gate.

Legislative History

9/30/15

Code Compliance Hearing

Continuance

2**Case # 15-299**

Millionaire Gallery Inc.
Bruce Matthews, R/A
Ocean Blue Commercial Holding
824 Duval Street
Sec. 114-104 Restriction on number of signs permitted
Officer Peg Corbett
Certified Service: 10-5-2015
Initial Hearing: 10-21-2015

In compliance September 25, 2015, request dismissal

Count 1: Photographed 12 signs affixed to the store front by either box wood sign and or stencils which exceed the allowable amount.

3**Case # 15-564**

Key West Strip Inc.
Joel Marcus, R/A
Michael & Sharon Irwin
509 Duval Street
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Officer Peg Corbett
Certified Service: 9-18-2015 - owner
Posted: 9-25-2015 - business
Initial Hearing: 10-21-2015

Continued from October 21, 2015

Count 1: For failure to obtain a building permits for the new signs.

Count 2: For failure to obtain a certificate of appropriateness for the new signs.

4**Case # 15-863**

Angela Petronia LLC

Charles Krudel, R/A

607 Petronia Street

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

Sec. 14-40 Permits in historic districts. Modified

Officer Peg Corbett

Certified Service: 10-3-2015

Initial Hearing: 10-21-2015

Continued from October 21, 2015

Count 1: For building a deck without benefit of a permit. Wardlow Construction applied for the permits, but they remain in callback. **Count 2:** A certificate of appropriateness is required prior to building a deck.

5**Case # 15-1162**

Michael Brockner

1004 Watson Street 1

Sec. 58-31 Container and receptacle requirements

Officer Peg Corbett

Certified Service:

Initial Hearing: 10-21-2015

In compliance November 7, 2015, request dismissal

Count 1: On Wednesday, 2 Sept 2015, the bins were being store on the city right of way. Pickup is on Mondays.

6

Case # 15-1437

Debra Flynn

3405 Flagler Avenue

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions - Counts 1 - 4

Sec. 14-262 Request for inspection - Counts 5 - 6

Sec. 90-363 Certificate of occupancy - required - Counts 7 - 11

Sec. 66-87 Business tax receipt required for all holding themselves out
to be engaged in business - Count 12

Sec. 122-237 Prohibited uses - Count 13

Officer Peg Corbett

Certified Service:

Initial Hearing: 11-18-2015

Continuance granted to December 16, 2015

Count 1: For failure to obtain a building permit to build a wall between the living room and kitchen. **Count 2:** For failure to obtain a building permit for the wood deck in the rear of the property. **Count 3:** For failure to obtain a building permit for the PVC and electrical lines for a Jacuzzi which was installed and placed on the wood deck. **Count 4:** For failure to obtain a permit to install a window A/C (including electric lines from the house) in the tin shed on the south side of the home. **Count 5:** For failure to obtain a plumbing inspection. **Count 6:** For failure to obtain an electrical inspection. **Count 7 through 11:** For failure to obtain a certificate of occupancy for each of the five separate living units. **Count 12:** For failure to obtain a business tax receipt to rent for four extra units. **Count 13:** Current renovations and use of the subject property is a prohibited use as defined by the zoning regulations for single family zone.

7

Case # 14-1628

117 Duval LLC
 117 Duval Street
 FBC 1612.4 (ASCE 24-415) Unprotected enclosed structure below
 design flood elevation
 Officer Scott Fraser
 Certified Service: 3-23-2015
 Initial Hearing: 5-27-2015

In compliance November 4, 2015, request dismissal

Count 1: In accordance with the City's requirements for participation in the National Flood Insurance Program (NFIP), the City's 2000 approval for construction of this commercial structure below the established NFIP flood level was contingent upon the installation and maintenance of approved floodproofing measures. These floodproofing measures no longer exist.

Legislative History

| | | |
|---------|-------------------------|-------------|
| 5/27/15 | Code Compliance Hearing | Continuance |
| 7/29/15 | Code Compliance Hearing | Continuance |
| 9/30/15 | Code Compliance Hearing | Continuance |

8

Case # 15-760

KWHS Inc.
 James Hendricks, Registered Agent
 KWHS Inc.
 Bianca Digennaro, Business owner
 Living Dolls
 Tanner Partners LLP
 516 Fleming Street 101
 Sec. 2-939 Licenses
 Officer Leonardo Hernandez
 Certified Service:6-10-2015 - R/A
 Certified Service: 6-16-2015 - B/O
 Initial Hearing: 6-24-2015

In compliance November 12, 2015. Administrative fees still due

Count 1: The chairs on the sidewalk require a revocable license

Legislative History

| | | |
|---------|-------------------------|-------------|
| 8/26/15 | Code Compliance Hearing | Continuance |
| 9/30/15 | Code Compliance Hearing | Continuance |

9

Case # 15-828

Karen & Delmar Lewis - property owner
704 Caroline Street
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Officer Leonardo Hernandez
Certified Service: 8-12-2015 - property owner
Initial Hearing: 8-26-2015

Continued from September 30, 2015 for compliance

Count 1: For failure to obtain a building permit prior to the removal of a wooden deck. **Count 2:** For failure to obtain a certificate of appropriateness prior to the removal of a wooden deck.

10

Case # 15-838

Thomas Mustakas
903 Frances Street
Sec. 90-391 Variances
Sec. 2-938 Easements
Sec. 2-939 Licenses
Sec. 122-1078 Restrictions on buildings and structures; including
entryways
Officer Leonardo Hernandez
Posted: 9-17-2015
Initial Hearing: 11-18-2015

Continuance granted to December 16, 2015

Count 1: For failure to obtain a variance. **Count 2:** For failure to obtain an easement for the encroachments onto city right of way. **Count 3:** For failure to obtain a revocable license for the nonpermanent use of city property. **Count 4:**

11

Case # 15-1295

Blue Gecko Key Lime Pie & Ice Cream Inc.
Christian M Zuelch - R/A
William R Rupp Trustee
411 Greene Street
Sec. 66-102 Dates due and delinquent; penalties
Office Jorge Lopez
Certified Service:
Initial Hearing: 11-18-2015

In compliance November 12, 2015, request dismissal

Count 1: The business tax receipt is delinquent.

12

Case # 14-1468

James Chris Fiorella
Djin Suk Kim
George R & Marcia E Halloran
16 Hilton Haven Drive D
Sec. 14-184 Certificate of Occupancy
Sec. 14-185 Compartmentation and flotation devices
Sec. 14-186 Electrical wiring and service
Sec. 14-188 Inboard sewage device
Sec. 14-191 Exit facilities
Sec. 14-192 Guardrails
Sec. 14-37 Building permits; professional plans; display of permits
Sec. 14-327 Inspection
Sec. 14-262 Request for inspection
Officer Barbara Meizis
Certified Service: 5-14-2015
Initial Hearing: January 28, 2015

Continued from October 21, 2015

Count 1: For failure to obtain a certificate of occupancy. **Count 2:** Requires inspection to ensure items are installed according to the building code. **Count 3:** For to obtain electrical/mechanical permits. **Count 4:** Sewage devices requires an inspection. **Count 5:** Exit facilities requires an inspection. **Count 6:** Guardrails require an inspection. **Count 7:** All construction work, new sliding glass doors and new back deck with railing requires a building permit prior to construction. **Count 8:** All refrigeration and air conditioning apparatus requires inspections. **Count 9:** All electrical work requires inspections such as roughing-in, equipment installations, final inspections, etc.

Legislative History

12/17/14

Code Compliance Hearing

Continuance

| | | |
|---------|-------------------------|-------------|
| 1/28/15 | Code Compliance Hearing | Continuance |
| 2/25/15 | Code Compliance Hearing | Continuance |
| 3/20/15 | Code Compliance Hearing | Continuance |
| 8/26/15 | Code Compliance Hearing | Continuance |

13

Case # 15-1303

Richard Johnson, MD
 Joseph Faber, R/A
 428 Greene Street
 Sec. 110-292 Failure to achieve
 Officer Barbara Meizis
 Certified Service:
 Initial Hearing: 10-21-2015

In compliance November 10, 2015, request dismissal

Count 1: The property owner does not agree with the findings of the Tree Commission.

14

Case # 15-220

Isabelle Holloway
 3227 Harriet Avenue
 Sec. 14-37 Building permits; professional plans; display of permits
 Officer Jim Young
 Certified Service: 3-27-2015
 Initial Hearing: 5-27-2015

Continued from September 30, 2015 for compliance

Count 1: A building permit is required prior to the removal of a section of the balcony.

Legislative History

| | | |
|---------|-------------------------|-------------|
| 5/27/15 | Code Compliance Hearing | Continuance |
| 7/29/15 | Code Compliance Hearing | Continuance |
| 8/26/15 | Code Compliance Hearing | Continuance |
| 9/30/15 | Code Compliance Hearing | Continuance |

Mitigations

- 15** **Case # 15-535**
Hot Cuts
Julie Hanson
3255 Flagler Avenue 305
- Compliance date extended to February 24, 2016**

Liens

- 16** **Case # 14-1238**
Richard Watherwax Photography
Richard Watherwax
719 Windsor Lane A
Certified Service:
- Continue to December 18, 2015 for service**
- 17** **Case # 14-1821**
Janice Isherwood
523 Elizabeth Street
Posted: 11-5-2015
- 18** **Case # 15-606**
Glenn Tanner - registered agent
KWHS Inc.
Bianca DiGennaro - business owner
James T Hendrick - registerd agent
Angela Richardson - employee
516 Fleming Street 101
Certified Service: 10-31-2015 - business owner
- 19** **Case # 15-678**
Patrick Cattern
1801 N Roosevelt Blvd
Certified Service: 11-2-2015

20

Case # 15-760

KWHS Inc.

Bianca DiGennaro - business owner

James Hendricks - registered agent

516 Fleming Street 101

Certified Service: 10-31-2015 - business owner

Adjournment