



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Meeting Agenda Full Detail Code Compliance Hearing

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Wednesday, December 17, 2014

1:30 PM

Old City Hall

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**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 at 305-809-1000 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 # 13-292**

Torres Real Estate LLC  
Orlando F Torres, R/A  
Alexander's Guest House  
1118 Fleming Street  
Sec. 18-601 License Required  
Sec. 122-1371 Transient living accommodations in residential dwellings  
Sec. 122-599 Prohibited uses - HMDR - **Dismiss**  
Officer Peg Corbett  
Certified Service: 3-15-2013  
Initial Hearing: 3-27-2013

**In compliance November 19, 2014, request dismissal  
Irreparable violation**

**Count 1:** The subject property was held out and/or advertised as being available transiently on 22 February 2013 for a total of 17 units. Transient license is for 15 units only. **Count 2:** The subject property was held out and or advertised as being available transiently on 22 February 2013 for a total of 17 units when they are only licensed for 15. **Count 3:** Transient rentals are not permitted in Historic Medium Density Residential areas.

**Attachments:** [13-292 1118 Fleming St NOH](#)

[13-292 1118 Fleming St Ammended NOH](#)

[13-292 1118 Fleming Web Advertisement](#)

**Legislative History**

3/27/13	Code Compliance Hearing	Continuance
5/22/13	Code Compliance Hearing	Continuance

10/2/13	Code Compliance Hearing	Continuance
1/29/14	Code Compliance Hearing	Continuance
3/19/14	Code Compliance Hearing	Continuance
4/23/14	Code Compliance Hearing	Continuance
11/14/14	Code Compliance Hearing	Continuance

**2****Case # 14-823**

Timothy & Amy Williams  
1500 Atlantic Boulevard 101  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Peg Corbett  
Certified Service: 9-2-2014  
Initial Hearing: 9-17-2014

**In compliance November 19, 2014, request dismissal**

**Count 1:** The business tax receipt to rent this property is delinquent

**Legislative History**

9/17/14	Code Compliance Hearing	Continuance
10/29/14	Code Compliance Hearing	Continuance

**3****Case # 14-936**

Stephen & Janice Dickson  
816 Eaton Street  
Sec. 122-600 Dimensional requirements - **Dismiss**  
Sec. 14-37 Building permits; professional plans; display of permits  
Sec. 14-40 Permits in historic districts  
Officer Peg Corbett  
Certified Service: 9-15-2014  
Initial Hearing: 9-17-2014

**Rehearing**

**Count 1:** The air conditioning unit was installed within the 5' setback for HMDR. **Count 2:** The fence is 8' which exceeds the scope of the permit. **Count 3:** The fence is 8' which exceeds the certificate of appropriateness.

**Legislative History**

9/17/14	Code Compliance Hearing	Continuance
10/29/14	Code Compliance Hearing	Continuance
11/14/14	Code Compliance Hearing	Continuance

**4****Case # 14-1074**

Southernmost Group LLC  
Ronen Teshouva - Registered Agent  
Southernmost Resort Wear  
1103 Whitehead Street  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business.  
Officer Peg Corbett  
Certified Service: 10-7-2014  
Initial Hearing: 10-29-2014

**Continuance granted to January 28, 2015**

**Count 1:** For failure to obtain a business tax receipt prior to opening the business.

**Legislative History**

10/29/14      Code Compliance Hearing      Continuance

**5****Case # 14-1391**

Wells Fargo Bank NA  
C/O Anchutz & Schneid Robertson  
2522 Staples Avenue  
Sec. 26-126 Clearing of property of debris and noxious material required  
Officer Peg Corbett  
Certified Service: 10-14-2014  
Initial Hearing: 10-29-2014

**Continued from October 29, 2014 for compliance**

**Count 1:** Yard debris from the rear yard is overflowing onto the City of Key West easement. Yard is overgrown and garbage and waste is also present.

**Legislative History**

10/29/14      Code Compliance Hearing      Continuance

6

**Case # 14-1444**

Candida Cobb  
1016 Varela Street F  
Sec. 66-89 Individual professionals required to pay license fee  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Peg Corbett  
Certified Service:  
Initial Hearing: 12-17-2014

**Continuance granted to January 28, 2015**

**Count 1:** All professions are required to obtain and renew yearly their business tax receipt. **Count 2:** A business tax receipt is required for the the professional business.

**Legislative History**

11/14/14      Code Compliance Hearing      Continuance

7

**Case # 14-1503**

Mark & Deborah Thielen  
67 Golf Club Drive 258  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Peg Corbett  
Certified Service: 11-15-2014  
Initial Hearing: 12-17-2014

**New Case**

**Count 1:** A business tax receipt is required to rent the property.

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**Case # 14-1508**

Helen Carbonell  
c/o Ron Saunders  
1315 Olivia Street  
Sec. 26-126 Clearing of property of debris and noxious material required  
Officer Peg Corbett  
Posted: 11-19-2014  
Initial Hearing: 12-17-2014

**In compliance December 17, 2015, request Finding**

**Count 1:** The property is overgrown and unsightly

**Legislative History**

11/14/14      Code Compliance Hearing      Continuance

9

**Case # 14-1510**

US Bank National Association

C/O Nationstar Mortgage LLC

National LLC

Corporation Service Company RA

63 Golf Club Drive 256

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

Officer Peg Corbett

Certified Service: 11-19-2014 - Nationstar Mortgage

Certified Service: 11-12-2014 - National LLC - Corp Service

Initial Hearing: 12-17-2014

**In compliance December 11, 2014, request dismissal`**

**Count 1:** A business tax receipt is required to rent this property.

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**Case # 14-1566**

Bascom & Beth Grooms

279 Golf Club Drive 332

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

Officer Peg Corbett

Certified Service: 11-12-2014

Initial Hearing: 12-17-2014

**In compliance November 14, 2014, request dismissal**

**Count 1:** A business tax receipt is required to rent this property.

11

**Case # 14-878**

1415 Olivia St LLC

David MJR Graham, R/A

1415 Olivia Street

Sec. 62-2 Obstructions

Officer Leonardo Hernandez

Certified Service: 9-19-2014

Initial Hearing: 11-14-2014

**Continued from November 14, 2014**

**Count 1:** For installing pavers and plants on the city's right of way.

**Legislative History**

11/14/14      Code Compliance Hearing      Continuance

12

**Case # 14-906**

Duc Nguyen

1213 14th Street 278

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

Sec. 14-256 Required - **Dismiss**Sec. 14-358 Amendments to Florida Plumbing Code - **Dismiss**

Officer Mary Lockyear

Posted: 9-30-2014

Initial Hearing: 11-14-2014

**In compliance December 17, 2014, request dismissal**

**Count 1:** For covering the side of the trailer with wooden siding, enclosing the washer, dryer, Jacuzzi and hot water heater with wood and wrapping the existing deck and steps in new wood without benefit of a permit. **Count 2:** For failure to obtain an electrical permit for the washer, dryer, Jacuzzi and hot water installation. **Count 3:** For failure to obtain a plumbing permit for the washer, Jacuzzi and hot water installation.

**Legislative History**

11/14/14

Code Compliance Hearing

Continuance

13

**Case # 14-1511**

Michael &amp; Sarah Travis

3635 Seaside Drive 307

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

Officer Mary Lockyear

Certified Service: 11-24-2014

Initial Hearing 12-17-2014

**In compliance December 16, 2014, request dismissal**

**Count 1:** A business tax receipt is required to rent the property.

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**Case # 14-1525**

Charles McCoy  
3635 Seaside Drive 410  
Sec. 66-87 Business tax receipt required for all holding themselves out  
to be engaged in business  
Officer Mary Lockyear  
Certified Service: 11-20-2014  
Initial Hearing: 12-17-2014

**In compliance November 21, 2014, request dismissal****Count 1:** A business tax receipt is required to rent this property.

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**Case # 14-1572**

Nancy Wozniak  
3655 Seaside Drive 419  
Sec. 66-87 Business tax receipt required for all holding themselves out  
to be engaged in business  
Officer Mary Lockyear  
Certified Service: 11-24-2014  
Initial Hearing: 12-17-2014

**In compliance December 9, 2014, request dismissal****Count 1:** A business tax receipt is required for all holding themselves  
out to be engaged in business

16

**Case # 14-1468**

James Chris Fiorella

Djin Suk Kim

George R &amp; Marcia E Halloran

16 Hilton Haven Road 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:

Initial Hearing: December 17, 2014

**New Case**

**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.

17

**Case # 14-727**

Alena Lembach

3226 Eagle Avenue

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

Sec. 18-157 Employment of unlicensed persons prohibited

Officer Matt Willman

Hand Served: 8-8-2014

Initial Hearing: 8-20-2014

**Continued from September 17, 2014 for compliance**

**Count 1:** For building an addition onto the rear of the house in the setback. **Count 2:** No person shall hire an unlicensed contractor

**Legislative History**

8/20/14

Code Compliance Hearing

Continuance



9/17/14      Code Compliance Hearing      Continuance

18

**Case # 14-1109**

Wayne Kruer  
1105 Thomas Street  
Sec. 62-2 Obstructions  
Officer Matt Willman  
Certified Service: 7-21-2014  
Initial Hearing: 7-30-2014

**Continued from October 29, 2014**

**Count 1:** The coconut tree is overhanging the city right of way limiting the use of the sidewalk as well as the adjacent parking space.

**Legislative History**

7/30/14      Code Compliance Hearing      Continuance

10/29/14      Code Compliance Hearing      Continuance

19

**Case # 14-1333**

Ted Franse Living Trust 9/22/11  
616 Petronia Street  
Sec. 18-601 License required  
Sec. 122-629 Prohibited Uses  
Sec. 122-1371 (d)(9)  
Officer Matt Willman  
Certified Service: 9-2-2014  
Initial Hearing: 9-17-2014

**Continued from November 14, 2014 for Settlement Agreement  
Irreparable Violation**

**Counts 1 - 6:** A transient rental license is required to rent the property transiently. **Counts 7 - 13:** Transient rental are prohibited in the Historic High Density Residential district (HHDR). **Counts 14 - 20:** The subject property was rented transiently from August 12, 2014

**Legislative History**

9/17/14      Code Compliance Hearing      Continuance

10/29/14      Code Compliance Hearing      Continuance

11/14/14      Code Compliance Hearing      Continuance

20

**Case # 14-1489**

June K Waage  
921 Whitehead Street  
Sec. 122-1371 Transient living accommodations in residential dwellings  
Sec. 122-5-99 Prohibited uses  
Sec. 18-601 License required  
Officer Mathew Willman  
Certified Service: 10-14-2014  
Initial Hearing: 11-14-2014

**Continued from November 14, 2014 - Settlement Agreement**

**Count 1:** This property was held out for transient rental of six nights.

**Count 2:** Transient rentals are prohibited in the Historic Medium Density Residential district (HMDR). **Count 3:** A transient rental license is required to rent the property transiently.

**Legislative History**

11/14/14      Code Compliance Hearing      Continuance

21

**Case # 14-1540**

Stella A Rylander - Property Owner  
William J Hackett - Tenant  
419 Southard Street  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations - Tenant  
Sec. 18-601 License required - Tenant  
Sec. 66-87 Business tax receipt required for all holding themselves to be  
engaged in business - Property Owner  
Officer Mathew Willman  
Certified Service: 11-19-2014 - Tenant  
Initial Hearing: 12-17-2014

**New Case - Settlement Agreement - Tenant**

**Count 1:** This property was found advertising transient rentals on Craigslist. **Count 2:** A transient rental license is required to rent this property out transiently. **Count 3:** A business tax receipt is required to rent this property out non-transiently.

**Legislative History**

11/14/14      Code Compliance Hearing      Continuance

**22****Case # 14-1648**

Keith MacDonald

1913 Seidenberg Avenue A &amp; B

Sec. 122-1371 Transient living accommodations in residential dwellings  
(d)(9)

Sec. 122-237 Prohibited uses

Sec. 18-601 License Required

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

Officer Matt Willman

Certified Service: 12-1-2014

Initial Hearing: 12-17-2014

**Continuance granted to January 28, 2015**

**Count 1:** The property is be offered for short term rentals through Air  
BnB. **Count 2:** Transient rentals are prohibited in the Single Family  
district (SF). **Count 3:** A transient rental license is required to rent this  
property transiently. **Count 4:** A business tax receipt is required to rent  
this property.

**Mitigations****23****Case # 12-1773**

Dwight Oglesbee - previous owner

Jad &amp; Ghada Maouad - new owners

2434 Fogarty Avenue

**Legislative History**

10/29/14

Code Compliance Hearing

Continuance

**Adjournment**