



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail Code Compliance Hearing

Friday, March 20, 2015

1:30 PM

Old City Hall

This meeting has been cancelled as of 3-19-15

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 # 14-1745

Scott Hendricks
1916 Patterson Avenue
Sec. 14-37 Building permits, professional plans; display of permits
Sec. 14-256 Required
Sec. 14-31 Adopted
Officer Peg Corbett
Certified Service: 1-22-2015
Initial Hearing: 2-25-2015

Continuance granted to April 29, 2015

Count 1: A detached habitable space was built without the benefit of a building permit. **Count 2:** Electricity was installed in the detached habitable space without the benefit of an electrical permit. **Count 3:** Plumbing was installed in the detached habitable space without the benefit of a plumbing permit.

Legislative History

2/25/15 Code Compliance Hearing Continuance

2**Case # 15-172**

Southernmost Cigar Group LLC
Marc Miclette - R/A
300 Front Street 1
Sec. 58-68 Commercial solid waste accounts
Officer Peg Corbett
Certified Service: 2-9-2015
Initial Hearing: 3-20-15

The city requests a continuance to add a respondent.

Count 1: The subject business was issued a notice of hearing for July of 2013 for a delinquent waste management account which was paid and was dismissed. The account became delinquent again in February of 2014.

3**Case # 15-190**

Southernmost Cigar Group LLC
Marc Miclette - R/A
300 Front Street 1
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Peg Corbett
Certified Service: 2-9-2015
Initial Hearing: 3-20-15

The city requests a continuance to add a respondent.

Count 1: The fire inspection fees is more than 90 days past due. This business was previously cited for the same violation in February, 2014.

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Case # 14-1631

Theresa Cioffi
3222 Riviera Drive
a/k/a 1600 Riviera Street
FBC Fuel/Gas 301.11 (ASCE 24-05 Sec. 7.4.1) Unsecured Fuel tank,
propane, within a flood zone, below flood level
Officer Scott Fraser
Certified Service: 12-20-2014
Initial Hearing: 1-28-2015

Continued from February 25, 2015 for compliance

Count 1: For failure to obtain a fuel gas permit and property secure the tank against buoyancy in accordance with the International Building Code.

Legislative History

1/28/15	Code Compliance Hearing	Continuance
2/25/15	Code Compliance Hearing	Continuance

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Case # 14-1712

Serge Gerass
2310 Seidenberg Avenue
Sec. 90-363 Certificate of occupancy - required
Sec. 14-35 Admendments to building code Sec. 1612.5.1 Elevation
certificate - required
Officer Scott Fraser
Certified Service: 2-21-2015
Initial Hearing: 3-20-2015

Continuance granted to May 27, 2015

Count 1: A certificate of occupancy is required prior to allowing a substantially improved building to be occupied. **Count 2:** For failure to submit a FEMA Elevation Certificate demonstrating a substantially improved building has been elevated to the minimum required elevation within a FEMA designated AE-7/8 flood zone.

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Case # 13-1418

Carolyn Sprogell

907 Frances Street

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

Sec. 14-40 Permits in historic district

Sec. 62-2 Obstructions

Officer Leonardo Hernandez

Certified Service: 10-5-2014

Initial Hearing: 11-14-2014

Continued from February 25, 2015**Count 1:** For building a eight foot fence without benefit of a permit.**Count 2:** For building a eight foot fence without benefit of HARC approval. **Count 3:** The fence is on the City's right of way.**Legislative History**

11/14/14	Code Compliance Hearing	Continuance
1/28/15	Code Compliance Hearing	Continuance
2/25/15	Code Compliance Hearing	Continuance

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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 February 25, 2015 for compliance**Count 1:** For installing pavers and plants on the city's right of way.**Legislative History**

11/14/14	Code Compliance Hearing	Continuance
12/17/14	Code Compliance Hearing	Continuance
2/25/15	Code Compliance Hearing	Continuance

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Case # 15-43

Doctor's Spa
Adrienne Curran
1075 Duval Street C18
Sec. 114-104 Restriction on number of signs permitted
Officer Leonardo Hernandez
Certified Service: 1-15-2015
Initial Hearing: 2-25-2015

In compliance February 27, 2015 - Administrative fees still due

Count 1: For exceeding the number number of allowable signs

Legislative History

2/25/15 Code Compliance Hearing Continuance

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Case # 14-1752

BO's Fish Wagon, Inc.
Holly Owen - President
Dragonfly Consulting - Registered Agent
801 Caroline Street
Sec. 14-37 Building permits; professional plans; display of permits
Sec. 14-40 Permits in historic district
Officer Mary Lockyear
Certified Service: 1-23-2015 - Holly Owen
Initial Hearing: 2-25-2015

In compliance 2-25-2017, request dismissal

Count 1: A counter was installed without the benefit of a building permit.

Count 2: A counter was installed without the benefit of HARC approval.

Legislative History

2/25/15 Code Compliance Hearing Continuance

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Case # 15-11

Jay Pfahl

301 Duval Street A & B

Sec. 14-40 Permits in historic district

Sec. 114-104 Restriction on number of signs permitted

Officer Mary Lockyear

Certified Service: 1-28-2015

Initial Hearing: 2-25-2015

Continued from February 25, 2015

Count 1: For failure to obtain HARC approval for the 13 signs. **Count 2:**
For exceeding the number of allowable signs.

Legislative History

2/25/15

Code Compliance Hearing

Continuance

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Case # 15-17

The Restaurant Store

Richard Tallmadge

1111 Eaton Street Front

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

Sec. 14-40 Permits in historic district

Sec. 114-103 Prohibited signs

Officer Mary Lockyear

Certified Service: 1-9-2015

Initial Hearing: 2-25-2015

Continued from February 25, 2015

Count 1: For the exterior seating which is not licensed. **Count 2:** For
failure to obtain HARC approval for the Bone Island Brewing sign.

Count 3: For exceeding the number of allowable signs.

Legislative History

2/25/15

Code Compliance Hearing

Continuance

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Case # 14-1468

James Chris Fiorella

Djin Suk Kim

George R & 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: 1-2-2015

Initial Hearing: January 28, 2015

Continued from February 25, 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

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Case # 14-1798

Matthew N Boucher

3128 Riviera Drive

Sec. 18-601 License required - Counts 1-8 and Counts 9-16

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - Counts 17-18

Sec. 122-237 Prohibited uses - Counts 19-20

Officer Matt Willman

Certified Service: 2-26-2015

Initial Hearing: 2-25-2015

Continued from February 25, 2015 for Settlement Agreement

Counts 1 - 8: The subject property was rented transiently to Brian Kindred from 12-27-14 through 1-3-15 for \$7,500 without the benefit of a transient license. **Counts 9 - 16:** The subject property was rented transiently to Kristen & Kevin Kaczmarek from 12-19-14 through 12-26-14 for \$7,500 without the benefit of a transient license. **Counts 17 - 18** The subject property is offered/advertised by the owner, Matt Boucher, on VRBO and Home Away for short term rentals. **Count 19-20:** The subject property is being rented for short term rentals which is not a permitted use in the Single Family zoning district.

Legislative History

2/25/15

Code Compliance Hearing

Continuance

Liens

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Case # 13-758

Andrea Shaye Morgan

621 Eaton Street

Posted: 12-18-2014

Continued from February 25, 2015

Under advisement

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Case # 14-604

Walingue Charles

1300 15th Court 47

Certified Service: 12-2-2014

Continued from February 25, 2015**Adjournment**