



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail Code Compliance Hearing

Wednesday, September 30, 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 November 18, 2015

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.

2**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

In compliance September 10, 2015, request dismissal

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
3/20/15	Code Compliance Hearing	Continuance
4/29/15	Code Compliance Hearing	Continuance

3**Case # 15-587**

Dana Dickinson
417 Porter Lane 3
Sec. 66-102 Date due and delinquent; penalties - Dismiss
Sec. 66-103 Trasfer of license
Officer Peg Corbett
Certified Service: 6-17-2015
Initial Hearing: 7-29-2015

Continued from August 26, 2015 for compliance

Count 1: The business tax receipt to rent this property has been delinquent since September 30, 2014. **Count 2:** The license needs to be transferred into the new owners name.

Legislative History

7/29/15	Code Compliance Hearing	Continuance
8/26/15	Code Compliance Hearing	Continuance

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Case # 15-592

Gregg & Margaret Scholl
3625 Seaside Drive 306
Sec. 66-102 Dates due and delinquent; penalties
Sec. 66-103 Transfer of license
Officer Peg Corbett
Posted: 9-10-2015
Initial Hearing: 9-30-2015

In compliance September 14, 2015, request dismissal

Count 1: The business tax receipt to rent this property has been delinquent since September 30, 2014. **Count 2:** The transient rental license and medallion has not been transferred to the new property owners.

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Case # 15-764

Diane Scholl
807 Washington Street 102
Sec. 66-102 Dates due and delinquent; penalties
Sec. 66-103 Transfer of license
Officer Peg Corbett
Certified Service: 7-21-2015
Initial Hearing: 8-26-2015

Continued from August 26, 2015 for compliance

Count 1: The business tax receipt to rent this property has been delinquent since 9-30-2014. **Count 2:** The business tax receipt has not been transferred to Ms. Scholl.

Legislative History

8/26/15

Code Compliance Hearing

Continuance

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Case # 15-909

A.C. Nichols, Inc.
Paulene Nichols - R/A
Sunshine Pools
Mobile Service
Sec. 66-102 Dates due and delinquent; penalties
Officer Peg Corbett
Certified Service:
Initial Hearing: 8-26-2015

In compliance September 10, 2015, request dismissal

Count 1: The business tax receipt has been delinquent since 9-30-2014

Legislative History

8/26/15 Code Compliance Hearing Continuance

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Case # 15-1041

518 Duval Street, LLC
Henry Allen, R/A
OG 1 of Key West, LLC
Nir Sela, R/A
518 Duval Street
Sec. 18-705 Requirements of permit holder
Officer Peg Corbett
Certified Service: 8-19-2015
Certified Service: 8-25-2015
Initial Hearing: 9-30-2015

New Case - Settlement Agreement
Irreparable violation

Count 1: On 14 May 2015 we received a complaint from Leland Stevens stating that the subject cosmetic store charged his credit card \$3,225 without the benefit of a prior written statement showing the final cost of the item or service.

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Case # 15-1060

Paul & Cindy Mead
3536 Duck Avenue
Sec. 66-102 Dates due and delinquent; penalties
Officer Peg Corbett
Certified Service:
Initial Hearing: 9-30-2015

In compliance August 21, 2015, request dismissal

Count 1: The business tax receipt for the rental of the subject property has been delinquent since September 30, 2014.

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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

Continuance granted to October 21, 2015 for compliance

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

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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

In compliance September 18, 2015, request dismissal

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
3/20/15	Code Compliance Hearing	Continuance
4/29/15	Code Compliance Hearing	Continuance
5/27/15	Code Compliance Hearing	Continuance
8/26/15	Code Compliance Hearing	Continuance

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Case # 14-1248

Kenneth Dooley
Peter Bek-Gran
1410 Albury 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:
Initial Hearing: 8-26-2015

Continue to October 21, 2015 for service

Count 1: For failure to obtain a building permit for installation of brick pavers around the pool, rear, front and side property. **Count 2:** For failure to obtain a certificate of appropriateness for installation of brick pavers around the pool, rear, front and side property.

Legislative History

8/26/15	Code Compliance Hearing	Continuance
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Case # 15-622

Edwards Healthcare & Diagnostic
Edward Garrido
3414 Duck Avenue 3418
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Leonardo Hernandez
Certified Service: 7-28-2015
Initial Hearing: 6-24-2015

Continued from August 26, 2015 for compliance**Count 1:** The fire inspection fees are more than 60 days past due**Legislative History**

7/29/15	Code Compliance Hearing	Continuance
8/26/15	Code Compliance Hearing	Continuance

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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

Continued from August 26, 2015 for compliance**Count 1:** The chairs on the sidewalk require a revocable license**Legislative History**

8/26/15	Code Compliance Hearing	Continuance
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Case # 15-828

Karen & Delmar Lewis - property owner

T Ryan Contracting Inc. - contractor

704 Caroline Street

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

Sec. 14-40 Permits in historic districts - home owner only

Sec. 18-117 Acts declared unlawful (1) - contractor only

Officer Leonardo Hernandez

Certified Service: 8-12-2015 - property owner

Hand Served: 9-16-2015 - contractor

Initial Hearing: 8-26-2015

Continuance granted to October 21, 2015

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. **Count 3:** For working outside the scope of your contractors license.

Legislative History

8/26/15

Code Compliance Hearing

Continuance

15

Case # 15-1044

Key Cove Landings LLC

Christopher Belland - R/A

Ben McPherson - violator

3 Key Cove Drive

Sec. 18-601 License required

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

Sec. 122-269 Prohibited uses

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

Officer Leonardo Hernandez

Certified Service: 8-14-2015 - R/A

Certified Service: 8-14-2015 - violator

New Case - Settlement Agreement**Repeat / Irreparable violation**

Count 1: A transient rental license is required to rent this property transiently. **Count 2:** The subject property was rented from August 8 through August 15, contrary to city ordinances. **Count 3:** Transient rentals are prohibited in Medium Density Residential district (MDR). **Count 4:** A business tax receipt is required to rent your property.

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Case # 14-1110

JP Morgan Chase Bank National Association

905 Emma Street

Sec. 90-363 Certificate of occupancy - required

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

Officer Barbara Meizis

Certified Service: 9-2-2015

Initial Hearing: 9-30-2015

Continuance granted to October 21, 2015

Count 1: Two more units were added to this single family home without benefit of a certificate of occupancy. **Count 2:** A building permit is required prior to added to units to this single family home.

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Case # 15-165

Natividad Vila L/E

Ines M Brown T/C

1324 20th Terrace

Sec. 90-356 Building permits required

Sec. 90-365 Violations and penalties

Officer Barbara Meizis

Posted: 3-19-2015

Certified Service: 5-12-2015 - Ines Brown

Initial Hearing: 4-29-2015

Continued from July 29, 2015 for compliance**Extended compliance date from 6-24-15 to 7-29-15**

Count 1: Building permits are required prior to construction of the addition. **Count 2:** Constructed an addition on the side of the structure in the setbacks without a building permit.

Legislative History

4/29/15 Code Compliance Hearing Continuance

5/27/15 Code Compliance Hearing Continuance

7/29/15 Code Compliance Hearing Continuance

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Case # 15-704

Emilio Noste

2213 Staples Avenue

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

Sec. 18-117 Acts declared unlawful

Officer Barbara Meizis

Certified Service: 8-3-2015

Initial Hearing: 9-30-2015

In compliance August 10, 2015, request dismissal

Count 1: For failure to obtain a building permits for construction of the front porch, railings and steps; installation of windows and window frames; doors and door frames on both structures; and the installation of wood siding on both structures. **Count 2:** For aiding and abetting unlicensed contractors.

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Case # 15-835

Conch Electric Cars of Key West
Renata Lavenir
Albert Kelley, R/A
100 Grinnell Street
Sec. 18-359 Identification by decal
Sec. 18-351 Registration of rental units
Officer Barbara Meizis
Certified Service: 9-3-2015
Initial Hearing: 9-30-2015

In compliance September 21, 2015, request dismissal

Count 1: Observed at least 12 electric cars parked at the terminal and 2 across the street without the decals permanently affixed. **Count 2:** Only 12 electric cars are licensed for this location.

20

Case # 15-915

Martin Busam
3500 Flagler Avenue
Sec. 62-31 Maintenance of area between property line and adjacent paved roadway
Officer Barbara Meizis
Certified Service:
Initial Hearing: 9-30-2015

In compliance September 28, 2015, request dismissal

Count 1: There has been a very large pile of yard debris and black yard waste bags on the city right of way since July 15, 2015.

21**Case # 14-1737**

Adrienne Curran

1408 Albury Street

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

Sec. 14-40 Permits in historic district

Officer Jim Young

Certified Service: 4-6-2015

Initial Hearing: 5-27-2015

In compliance September 25, 2015, request dismissal

Count 1: A building permit is required to replace the window. Exceeded the scope of a building permit by installing brick pavers on more than 60% of the property. **Count 2:** HARC approval is required to replace the window. Also, the cameras that were installed are not supposed to be visible from the street.

Legislative History

5/27/15 Code Compliance Hearing Continuance

7/29/15 Code Compliance Hearing Continuance

8/26/15 Code Compliance Hearing Continuance

22**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 August 26, 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

23**Case # 15-1037**

Homes Away, LLC

DBA: VRBO

c/o Brian Sharples, CEO

c/o Tammy Diane Dey, R/A

313 Truman, LLC

c/o Thomas M Bowlus, R/A

313 Truman Avenue

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

Officer Jim Young

Certified Service: 8-31-2015 - CEO

Certified Service: 8-21-2015 - LLC

Initial Hearing: 9-30-2015

In compliance September 14, 2015, request dismissal**Count 1:** On 6 Aug 15 this property was being advertised for transient rental at a price of \$232 per night with a 10 day minimum on VRBO.**24****Case # 15-1052**

Diego Pedraza

416 Petronia Street 1

Sec. 18-601 Transient license required

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

Officer Jim Young

Posted: 9-22-2015

Initial Hearing: 8-26-2015

In compliance September 29, 2015, request dismissal**Count 1:** A transient license is required to rent property transiently.**Count 2:** On August 10, 2015, this property was being advertised on Airbnb.com for transiently rental at \$180.00 per night.**Legislative History**

8/26/15

Code Compliance Hearing

Continuance

25**Case # 15-1033**

James & Roberta Holtzinger
1801 N Roosevelt Blvd Kingfisher Pier
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Sec. 122-130 Uses prohibited - semipublic services district (PS)
Officer Jim Young
Certified Service: 8-14-2015
Initial Hearing: 8-26-2015

In compliance September 23, 2015, request dismissal

Count 1: A business tax receipt is required to rent your houseboat.

Count 2: Transient rentals are prohibited in the semipublic services district (PS)

Legislative History

8/26/15 Code Compliance Hearing Continuance

26**Case #15-1068**

Homes Away, LLC
c/o Brian Sharples, CEO
c/o Tammy Diane Dey, R/A
Raymon B Fogg, Jr. Rev. Tr. 9/1/2000
1501 Olivia Street
Sec. 122-1371 Transient living accommodations in residential dwellings; regulations
Officer Jim Young
Certified Service: 8-31-2015 - CEO
Certified Service: 8-21-2015 - LLC
Initial Hearing: 9-30-2015

In compliance September 10, 2015, request dismissal

Count 1: On 14 Aug 15 this property was being advertised for transient rental at a price of \$200 per night with a 10 night minimum on VRBO.

Liens

27

Case # 14-1798

Matthew Boucher
3128 Riviera Drive
Posted: 9-10-2015

Continue to September 30, 2015 for service

Adjournment