



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Wednesday, January 27, 2016

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 # 15-415

Robert H & Pamela Edmonds

410 Virginia Street

Sec. 14-40 Permits in historic districts

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

Officer Bonnita Badgett

Certified Service: 11-28-2015

Initial Hearing: 12-16-2015

In compliance January 26, 2016, request dismissal

Count 1: For failure to obtain a certificate of appropriateness to enclose the carport, install 3 new windows and install lattice on the exterior of the building. **Count 2:** For failure to obtain a building permit to enclose the carport, install 3 new windows and install lattice on the exterior of the building.

Legislative History

12/16/15

Code Compliance Hearing

Continuance

2**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 February 24, 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
11/18/15	Code Compliance Hearing	Continuance

3**Case # 15-837**

Fred V & Eileen A Redmond
3314 Northside Drive 16
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Sec. 90-365 Violations and penalties
Officer Bonnita Badgett
Certified Service: 12-10-2015
Initial Hearing: 12-16-2015

Continuance granted to March 30, 2016

Count 1: Each rental unit requires a business tax receipt to rent non-transiently. **Count 2:** The second unit needs to be legalized as a residential unit.

Legislative History

12/16/15	Code Compliance Hearing	Continuance
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4**Case # 15-1238**

Douglas C Leohr Trust 12/13/2002

3800 Duck Avenue

Sec. 14-261 Failure to obtain

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

Sec. 18-117 Acts declared unlawful (8)

Officer Bonnita Badgett

Certified Service:

Initial Hearing: 12-16-2015

In compliance December 29, 2015, request dismissal

Count 1: For failure to obtain an electrical permit. **Count 2:** For failure to obtain a permit for the deck prior to commencement. **Count 3:** For aiding and abetting an unlicensed contractor.

Legislative History

12/16/15

Code Compliance Hearing

Continuance

5**Case # 15-1504**

OG1 of Key West, Inc.

Maor Taharani

Nir Sela, Registered Agent

518 Duval Street, LLC - property owner

Henry B Allen, Registered Agent

518 Duval Street

Sec. 18-705 Requirements of permit holder

Officer Bonnita Badgett

Certified Service: 12-26-2015 - property owner

Certified Service: 12-23-2015 - business owner

Certified Service: 12-23-2015 - registered agent

Initial Hearing: 1-27-2016

Repeat Violation**New Case**

Count 1: For failure to furnish the customer with a pre-written statement prior to applying cream.

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Case # 15-1632

Soap Stories

Melissa A Stops, Registered Agent

Tomer Rotem, Officer

Mariam Bassily, Qualifier

404 Duval Street

Sec. 18-702 Permit required

Sec. 18-703 Cosmetics permit required; inspection; fee

Officer Bonnita Badgett

Certified Service: 12-22-2015 - Registered Agent

Certified Service: 1-8-2016 - Qualifier

Initial Hearing: 1-27-2016

New Case

Count 1: On 25 Nov 2015 officer observed Soap Stories handing out samples of cosmetics and engaging in business without a cosmetic permit. **Count 2:** On 11 Dec 2015 city received a complaint from Mary & Nick Foster regarding creams being applied to an area under Mr. Foster's right eye and to Ms. Foster's right forearm. Soap Stories still had not obtained their business tax receipt for cosmetics.

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Case # 15-1077

Hotspur LLC (Flaming Buoy Filet Co)

Richard S Forste

1100 Packer Street

Sec. 30-1 Fees for false alarms and fire code inspections

Officer Peg Corbett

Certified Service:

Initial Hearing: 1-27-2016

Continue to February 24, 2016 for service

Count 1: For failure to pay the fee of \$50 for the fire inspection

Legislative History

12/16/15

Code Compliance Hearing

Continuance

8

Case # 15-1393

Cotton Palm Inc.

Moshe Gvili, Registered Agent & Property Owner

600 Duval Street

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

Sec. 14-40 Permits in historic districts

Sec. 114-103 Prohibited signs

Officer Peg Corbett

Certified Service: 1-6-2016

Initial Hearing: 1-27-2016

New Case

Count 1: For failure to obtain a building permit prior to the installation of a new sign. **Count 2:** For failure to obtain a certificate of appropriateness prior to the installation of the new sign. **Count 3:** Posterboard signs are prohibited in the historic district.

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Case # 15-1442

Thirsty's Paradise Ventures, LLC

William B Spottswood, Jr., Registered Agent

Historic Tours of America, Inc.

Edwin O Swift III, Registered Agent

531 Greene Street

Sec. 114-103 Prohibited signs

Sec. 106-51 Prohibited

Sec. 14-40 Permits in historic districts

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

Officer Peg Corbett

Certified Service: 1-4-2016

Initial Hearing: 1-27-2016

In compliance January 20, 2016, request dismissal

Count 1: There are 22 prohibited signs at this location. **Count 2:** Exterior displays are prohibited unless an exception is granted by the planning board. **Count 3:** A certificate of appropriateness is required for the awning and the hanging sign prior to the installation. **Count 4:** A building permit is required for the awning and the hanging sign prior to the installation.

10**Case # 15-1465**

Historic Tours of America Inc.
Edwin O Swift III, Registered Agent
120 Simonton Street
FBC 307.2.1 Condensate disposal (Adopted by City of Key West via Ordinance 14-31)
Officer Peg Corbett
Certified Service: 1-4-2016
Initial Hearing: 1-27-2016

New Case

Count 1: Gutters that have been placed at the subject property directs water from an unknown source across the city sidewalk creating a slip and fall condition for tourists.

11**Case # 15-1550**

Abdull L Rahimi
1516 Duncombe Street
Sec. 26-126 Clearing of property of debris and noxious material required
Officer Peg Corbett
Certified Service: 12-14-2015
Initial Hearing: 1-27-2016

In compliance 12-30-2015, request dismissal

Count 1: For failure to keep the property properly maintained.

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Case # 15-1587

Sun Island of Key West

David Perets, Registered Agent

Thomas E & Deborah L Smith

1108 Duval Street C

Sec. 106-51 Prohibited

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

Officer Peg Corbett

Certified Service: 12-17-2015

Initial Hearing: 1-27-2016

New Case

Count 1: Exterior displays are prohibited in the historic district unless an exception is granted by the planning board. **Count 2:** A building permit is required for the hanging sign.

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Case # 15-1594

Bella Construction of Key West

Edgar Braswell, Registered Agent

D.L. Porter Constructors, Inc.

C. Marshall White, Registered Agent

1220 Simonton St. LLC - Casa Marina

Erica Hughes-Sterling, Registered Agent

1222 Simonton Street

Sec. 26-193 Exception (to unreasonable excessive noise prohibited)

FYI: Sec. 26-194 Citation procedure and penalties

Officer Peg Corbett

Certified Service: 12-21-2015 - Bella Construction

Certified Service: 12-15-2015 - property owner's registered agent

Certified Service: 12-21-2015 - D.L. Porter Constructors

Initial Hearing: 1-27-2016

New Case - Settlement Agreement

Count 1: For starting construction prior to 8 am on Friday, 4 Dec 2015;
prior to 9 am on 5 Dec 2015 and 12 Dec 2015.

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Case # 14-1488

Sunrise at Seaside Condo Association
3625 Seaside Drive
FBC. 1612.4 (ASCE 24-05) Floor Hazard Construction - **Counts 1 through 3**
Officer Scott Fraser
Certified Service: 9-15-2015
Initial Hearing: 10-21-2015

Continued from October 21, 2015

Count 1: Unprotected enclosed structures below design floor elevation.
Count 2: Flood venting below design flood elevation - required. **Count 3:** Unsecured fuel tanks - propane

Legislative History

10/21/15 Code Compliance Hearing Continuance

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Case # 15-1030

Rockwell Property Inc.
Gregory Farrelly - R/A
Richard Hoy - business owner
Equator Resort
2 Scheppens Lane
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Sec. 14-40 Permits in historic districts
Officer Leonardo Hernandez
Certified Service: 11-20-2015 - R/A
Certified Service: 11-21-2015 - business owner
Initial Hearing: 12-16-2015

In compliance January 6, 2016, request dismissal

Count 1: For failure to obtain a building permit prior to the installation of the awning. **Count 2:** For failure to obtain a certificate of appropriateness for the awning prior to installation.

Legislative History

12/16/15 Code Compliance Hearing Continuance

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Case # 15-1432

Nora M Koenig
1101 Flagler Avenue
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Leonardo Hernandez
Certified Service: 12-7-2015
Initial Hearing: 1-27-2016

In compliance December 9, 2015, request dismissal

Count 1: For failure to obtain a building permit for the picket fence

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Case # 15-1220

William B Cope
3126 Flagler Avenue
Sec. 66-87 Business tax receipt required for all holding themselves out
to be engaged in business
Officer Jorge Lopez
Certified Service:
Initial Hearing: 1-27-2016

Continue to February 24, 2016 for service

Count 1: For failure to obtain a business tax receipt for the handyman
services as advertised on Craigslist.

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Case # 15-1374

135 Duval Street Company
Charles Ittah, Registered Agent
501 Greene Street
Sec. 14-40 Permits in historic districts
Officer Jorge Lopez
Certified Service: 12-14-2015
Initial Hearing: 1-27-2016

In compliance December 18, 2015, request dismissal

Count 1: For failure to obtain a certificate of appropriateness for exterior
painting.

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Case # 15-1457

Blue Gecko Key Lime Pie & Ice Cream Inc.

Christian M Zuelch, Registered Agent

William R Rupp Trust 10/03/1991

c/o Prager and Fenton LLD

411 Greene Street

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

Sec. 14-40 Permits in historic districts

Sec. 114-104 Restriction on number of signs permitted

Sec. 2-939 Licenses

Officer Jorge Lopez

Certified Service: 12-7-2015 - registered agent

Initial Hearing: 1-27-2016

Continuance granted to February 24, 2016

Count 1: For failure to obtain a building permit for the signs that were installed. **Count 2:** For failure to obtain a certificate of appropriateness for the signs that were installed. **Count 3:** For exceeding the number of allowable signs. **Count 4:** For failure to obtain a revocable license for the sign that is hanging over the city sidewalk.

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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 Jim Young

Certified Service: 5-14-2015

Initial Hearing: January 28, 2015

Continuance was granted to February 24, 2016

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
10/21/15	Code Compliance Hearing	Continuance
11/18/15	Code Compliance Hearing	Continuance

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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 Jim Young

Posted: 3-19-2015

Certified Service: 5-12-2015 - Ines Brown

Initial Hearing: 4-29-2015

Continued from October 21, 2015 for compliance

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
9/30/15	Code Compliance Hearing	Continuance
10/21/15	Code Compliance Hearing	Continuance

22**Case # 15-730**

Ronald & Cynthia Wood - property owners
Eric A Geen - unlicensed contractor
1319 Catherine Street
Sec. 14-256 Required
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 18-150 Certificate of competency required - Mr. Geen
Sec. 102-152 Requirements for permits
Officer Jim Young
Certified Service: 12-14-2015
12-21-2015
Initial Hearing: 1/27/2016

New Case - Settlement Agreement - unlicensed contractor**Request case be dismissed against the property owner**

Count 1: For failure to obtain an electrical permit. **Count 2:** For failure to obtain building permits for for the interior renovations, roofing and new fence. **Count 3:** For acting as a contractor without a certificate of competency. **Count 4:** For failure to obtain a certificate of appropriateness for the roofing and new fence.

23**Case # 15-877**

Judy Ann Kook - property owner
JKH Group, Inc.
Eric Geen, VP
Jacqueline Herbst, R/A
908 Frances Street A
Sec. 18-146 License required
Sec. 18-150 Certificate of competency required
Sec. 18-160 Certificate number; state certified number
Officer Jim Young
Certified Service: 12-2-2015 - property owner
Initial Hearing: 12-16-2015

In compliance December 17, 2015, request dismissal

Count 1: Every person engaged in business or capacity of a contractor shall obtain a license. **Count 2:** Every person engaged in business or capacity of a contractor shall obtain a certificate of competency. **Count 3:** Every person engaged in business or capacity of a contractor shall obtain a certificate number; state certified number.

Legislative History

12/16/15 Code Compliance Hearing Continuance

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Case # 15-1688

Instabike, LLC

c/o Sean Blaise, AMBR

425 Front Street

Sec. 106-56 Use of streets and sidewalks

Office Jim Young

Certified Service: 1-19-2016

Initial Hearing: 1-27-2016

Continuance granted to February 24, 2016

Count 1: For locking bikes to the city bike rack to advertise the Instabike business.

Adjournment