



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Wednesday, February 24, 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 # 15-794

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 March 30, 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
1/27/16	Code Compliance Hearing	Continuance

2**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**Continued from January 27, 2016**

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

Legislative History

1/27/16 Code Compliance Hearing Continuance

3**Case # 15-1077**

Hotspur LLC (Flaming Buoy Filet Co)
Richard S Forste - Business Owner
Rolando Aguiar and Felix Aguiar Estate
Ana Aguiar - Personal Representative of the Estate
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 March 30, 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
1/27/16 Code Compliance Hearing Continuance

4**Case # 15-1383**

Tropical Soup Corp
C W Dement - Registered Agent
402 Wall Street
Sec. 114-103 Prohibited Signs
Officer Peg Corbett
Certified Service:
Initial Hearing: 2-24-2016

In compliance February 12, 2016, request dismissal

Count 1: There are seven prohibited signs on the Wall Street side of the building and ten prohibited signs on the west side of the building.

5**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

Continued from January 27, 2016 for compliance

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.

Legislative History

1/27/16 Code Compliance Hearing Continuance

6

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

In compliance February 4, 2016. Administrative fees still due

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.

Legislative History

1/27/16 Code Compliance Hearing Continuance

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Case # 15-1537

Hayes Robertson Group Inc.
C. W. Dement - R/A
SK Land Company
William Spottswood - R/A
227 Duval Street
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Sec. 18-117 Acts declared unlawful
Officer Peg Corbett
Certified Service: 11-23-2015 - C.W. Dement
Certified Service: 11-30-2015 - William Spottswood
Initial Hearing: 12-16-2015

In compliance February 11, 2016. Administrative fees still due

Count 1: For failure to obtain building permits for the renovations to the second the third floors of 227 Duval Street. **Count 2:** For aiding and abetting an unlicensed contractor.

Legislative History

12/16/15 Code Compliance Hearing Continuance

8

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

In compliance February 23, 2016, request dismissal

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.

Legislative History

1/27/16

Code Compliance Hearing

Continuance

9

Case # 16-143

Roof Top Cafe LLC

Charles Weitzel - Registered Agent

230 East 7th Street Associates

Joseph Cohen - Property Owner

310 Front Street

Sec. 62-1 Deposits of oil, grease or other waste

Officer Peg Corbett

Certified Service: 2-17-2016

Initial Hearing: 2-24-2016

Irreparable violation**In compliance February 7, 2016, request Finding with
Administrative Fees**

Count 1: Site visit showed grease spill flowing into the city storm drain.
This is the second grease spill in two months.

10

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 December 16, 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.

Legislative History

11/18/15	Code Compliance Hearing	Continuance
12/16/15	Code Compliance Hearing	Continuance

11

Case # 15-1534

Beazley Catsam Living Trust
1116 Thompson Street
Sec. 62-2 Obstructions
Officer Leonardo Hernandez
Certified Service: 1-29-2016
Initial Hearing: 2-24-2016

In compliance February 10, 2016, request dismissal

Count 1: For obstructing the city right of way with palms trees.

12

Case # 15-1606

Jack De Baar / Joseph Seifert
2418 Patterson Avenue
Sec. 122-238 Dimensional requirements
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Leonardo Hernandez
Certified Service: 2-5-2016
Initial Hearing: 2-24-2016

Continuance granted to March 30, 2016

Count 1: A shed was built in the setback. **Count 2:** For failure to obtain a permit for the shed.

13

Case # 15-1647

United States Corp Agents, Inc.
Registered Agent for Instabike LLC
Instabike LLC
Sean Blaise - Business Owner
City of Key West Bicycle Racks
Sec. 106-56 Use of streets and sidewalks for advertising or display
Officer Leonardo Hernandez
Certified Service: 2-6-2016 - Registered Agent
Posted: 2-1-2016 - Business Owner
Initial Hearing: 2-24-2016

New Case

Count 1: For using the City of Key West bicycle racks to store and advertise the Instabike business

14

Case # 15-1663

Michael J Marino

Sanibel Glass & Mirror, Inc.

Jennifer Munden - Registered Agent

805 Shavers Lane

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

Sec. 102-216 Submission of application to historic architectural review

Sec. 102-152 Requirements for permits

Officer Leonardo Hernandez

Posted: 2-18-2016 - Property Owner

Certified Service: 2-11-2016 - Registered Agent

Initial Hearing: 2-24-2016

New Case

Count 1: Respondent worked over the scope of the issued demolition permit. **Count 2:** Application for demolition of contributing structure was not sought prior to commencing work. **Count 3:** A certificate of appropriateness is required for the demolition of a contributing structure.

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Case # 15-1412

Windsor Holdings of Key West LLC

Jennifer Hulse - Registered Agent

705 Duval Street

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

Sec. 14-40 Permits in historic districts

Officer Jorge Lopez

Certified Service: 2-9-2016

Initial Hearing: 2-24-2016

In compliance February 17, 2016, request dismissal

Count 1: For failure to obtain a building permit for the sign hanging from the awning. **Count 2:** For failure to obtain a certificate of appropriateness for the sign hanging from the awning.

16

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 March 30, 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.

Legislative History

1/27/16

Code Compliance Hearing

Continuance

17

Case # 16-20

Janice Isherwood

523 Elizabeth Street

Sec. 26-126 Clearing of property of debris and noxious material required

Officer Jorge Lopez

Hand Served: 2-7-2016

Initial Hearing: 2-24-2016

Cotinuance granted to March 30, 2016

Count 1: For failure to maintain the property. It is littered with empty bags and cans of cat food, bulk waste and debris. There are a lot of flies due to the cat and chicken feces. Property was last cited on 7-22-2015.

18

Case # 14-1468

James Chris Fiorella

Djin Suk Kim

Geoge & Marcia Halloran

16 Hilton Haven Drive D

Sec. 14-184 Certificate of Occupancy

Sec. 14-185 Compartmentation and flotation devices

Sec. 14-186 Electrical - Floating home

Sec. 14-187 Plumbing

Sec. 14-188 Inboard sewage device

Sec. 14-189 Fuel gas piping

Sec. 14-190 Building heights

Sec. 14-191 Exit Facilities

Sec. 14-192 Guardrails

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

Sec. 14-261 Failure to obtain

Sec. 14-327 Inspection

Officer Jim Young

Certified Service:

Initial Hearing: 11-14-2014

Continued from January 27, 2016 for compliance

Count 1: Failure to obtain a certificate of occupancy prior to occupying the dwelling. **Count 2:** The building official needs to determine that the compartmentation and floatation devices are installed according to code. **Count 3:** The building official needs to determine if the electrical wiring and service is installed correctly. **Count 4:** Failure to obtain a plumbing permit. **Count 5:** The inboard sewage device requires an inspection. **Count 6:** The building official shall inspect and approve all gas piping installed. **Count 7:** The building height shall not exceed 22 feet. **Count 8:** The building official shall inspect and approve all exits. **Count 9:** The building official shall inspect and approve all guardrails. **Count 10:** For failure to obtain a building permit for the a/c condenser on the roof, tubing, sliding glass door and back deck with railing. **Count 11:** For failure to obtain an electrical inspection. **Count 12:** All refrigeration and air conditioning apparatus, equipment and installations shall be inspected by the building official.

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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

Continued from January 27, 2016

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

Legislative History

1/27/16 Code Compliance Hearing Continuance

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Case # 15-1692

Overseas Radio, LLC
Neil Willits, MGRM
Guy De Boer - Registered Agent
405 Duval Street
Sec. 106-56 Use of streets and sidewalks for advertising or display purposes
Officer Jim Young
Hand Served: 2-12-2016
Initial Hearing: 2-24-2016

New Case

Count 1: Konk Coupon does not meet the definition of a newspaper or periodical, therefore, the news racks are advertising signs (on 29 Dec 15 rack was advertising a concierge service under the name of Key West GoGo).

Liens

21

Case # 14-1632

William Cope
Bill's Rebuild
925 Duval Street
Certified Service: 1-25-2016

22**Case # 14-1637**

William Cope
Bill's Rebuild
529 Caroline Street
Certified Service: 1-25-2016

23**Case # 15-535**

Hot Cuts
Julie Hanson
3255 Flagler Avenue 305

In compliance, request dismissal**Legislative History**

11/18/15 Code Compliance Hearing Continuance

Adjournment