



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Wednesday, August 29, 2018

1:30 PM

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 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

Call Meeting to Order

Code Violations

1

Case # 14-1318

Luisa and Thomas M. Black
TBL of North Grove, LLC
327 Margaret Street
Sec. 58-61 Determination and levy of charge
Officer Bonnita Badgett
Certified Service: 7-2-2018
Initial Hearing: 8-29-2018

In compliance 12 July 2018; request dismissal

Count 1: Failure to pay levy for solid waste charge for the addition of a 5th unit on this property.

2

Case # 18-280

Robert Janicki

1205 11th Street

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

Sec. 14-262 Request for inspection

FBC P2503.1 Inspections

FBC 1612.4 Flood Hazard Construction

Sec. 18-117 Acts declared unlawful

Officer Bonnita Badgett

Certified Service: 5-18-2018

Initial Hearing: 5-30-2018

Continued from 27 June 2018 for compliance

Count 1: Building, electrical and plumbing work being done without the benefit of a permits. **Count 2:** Failure to request electrical inspection for work being done without the benefit of a permit. **Count 3:** Failure to request plumbing inspections for work being done without the benefit of a permit. **Count 4:** The new rear room in the main house, the tiki hut and shed shall comply to the ordinance for structures located in the flood hazard areas. **Count 5:** Cease using an unlicensed contractor.

Legislative History

5/30/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance

3

Case # 18-716

Zelma B. Dawson

2433 Linda Avenue

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

Sec. 62-31 Maintenance of area between property line and adjacent paved roadway

Officer Bonnita Badgett

Certified Service:

Initial Hearing: 7-25-2018

In compliance 8 Aug 2018; request dismissal

Count 1: The subject property is very unsightly with trash in the yard and overgrown. **Count 2:** The subject property between the property line and pavement has weeds and overgrown trees hanging over the city right of way. The fence is down in places onto city property, very unsightly and obstructing the city right of way.

Legislative History

7/25/18 Code Compliance Hearing Continuance

4

Case # 18-750

Martha J. Wilkerson Estate

Karen Allen-Valdez

914 Emma Street Front

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

Sec. 26-127 Periods of mowing and removal of debris

Officer Bonnita Badgett

Certified Service:

Initial Hearing: 8-29-2018

In compliance 16 Aug 2018; request dismissal

Count 1: Subject property is unsightly and overgrown. **Count 2:** Subject property needs to be mowed and cleared of weeds.

5

Case # 18-841

Anthony Pienczkowski
408 Virginia Street Down
Sec. 58-35 Requirements for bulk and excess yard waste pickup
Officer Bonnita Badgett
Certified Service: 7-7-2018
Initial Hearing: 8-29-2018

In compliance 21 Aug 2018; request dismissal**Count 1:** Yard debris placed on city right of way for a week.

6

Case # 18-994

James D. Carey
2804 Seidenberg Avenue
Sec. 66-102 Dates due and delinquent; penalties
Officer Bonnita Badgett
Certified Service: 8-11-2018
Initial Hearing: 8-29-2018

In compliance 21 Aug 2018; request dismissal**Count 1:** Failure to renew their license which expired 30 Sept 2017.

7

Case # 18-1002

David Montagano
Bayshore Landscaping Nursery
27001 Overseas Highway
Sec. 66-102 Dates due and delinquent; penalties
Officer Bonnita Badgett
Certified Service: 8-13-2018
Initial Hearing: 8-29-2018

In compliance 14 Aug 2018; request dismissal**Count 1:** Failure to renew their license which expired 30 Sept 2017.

8

Case # 18-1157

Gold Empire, LLC
 Nir Chen
 Zohar Alon
 518 Duval Street
 Sec. 18-705 Requirements of permit holder
 Officer Bonnita Badgett
 Certified Service: 8-15-2018 - Nir Chen
 Certified Service: 8-13-2018 - Zohar Alon
 Initial Hearing: 8-29-2018

Settlement Agreement

Count 1: Failure to give written statement before cream was applied to face.

9

Case # 18-244

Antonio Manuel Herce III
 Patricia Lee
 635 United Street Front
 Sec. 14-40 Permits in historic districts
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Officer Wherden Charles
 Certified Service: 5-7-2018
 Initial Hearing: 5-30-2018

In compliance 30 Jul 2018; request dismissal

Count 1: The renovation of this property shows that the window units were relocated to the walls of the home which are visible from the right of way without HARC approval. **Count 2:** The relocated window units to the wall required removal of a portion of the wall which did not have a building permit.

Legislative History

5/30/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

10

Case # 18-357

Bob Sunderman
 922 Catherine Street
 Sec. 110-292 Failure to achieve a compliance agreement
 Officer Wherden Charles
 Certified Service:
 Initial Hearing: 4-25-2018

Continued from 25 Jul 2018 for compliance

Count 1: For failure to come into compliance with the signed settlement agreement for violations Sec. 110-256 and 110-321. The payment of \$500 and the planting of one coconut palm 8' tall has not been met.

Legislative History

4/25/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

11

Case # 18-730

David Cunningham
 428 Greene Street
 Sec. 110-292 Failure to achieve a compliance agreement
 Officer Wherden Charles
 Posted: 7-23-2018
 Initial Hearing: 7-25-2018

Continued from 25 Jul 2018

Count 1: Failure to achieve compliance regarding a settlement agreement with Karen Demaria of Urban Forestry.

Legislative History

7/25/18	Code Compliance Hearing	Continuance
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Case # 17-1397

Manuel Kushner

SHS Investments of South Florida, Inc.

820 White Street

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

Sec. 14-40 Permits in Historic Districts

Officer Sophia Doctoche

Certified Service: 8-15-2018

Initial Hearing: 8-29-2018

In compliance 10 Aug 2018; request dismissal

Count 1: Failure to obtain permits for new shutters, deck work, PVC fencing and a rear wooden door added. **Count 2:** Failure to obtain Certificate of Appropriateness for all work done in the historic district.

13

Case # 18-641

William Larose

Key West Trim Works, Inc.

2750 North Roosevelt Boulevard

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

Sec. 18-150 Certificate of Competency required

Officer Sophia Doctoche

Certified Service: 6-1-2018

Initial Hearing: 6-27-2018

In compliance 23 Aug 2018; request dismissal

Count 1: An unlicensed contractor doing electrical work without a permit.

Count 2: Engaging in business without being a licensed contractor.

Legislative History

6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

14

Case # 18-729

Salinero Construction, LLC
Fred Salinero
3743 Donald Avenue
Sec. 110-292 Failure to achieve a compliance agreement
Officer Sophia Doctoche
Certified Service: 5-31-2018
Initial Hearing: 6-27-2018

In compliance 27 Jul 2018; request dismissal

Count 1: Failure to achieve compliance regarding a settlement agreement with Karen DeMaria of Urban Forestry.

Legislative History

6/27/18 Code Compliance Hearing Continuance

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Case # 18-776

Gary Roberts
3308 Duck Avenue
Sec. 18-150 Certificate of competency required
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Service: 6-11-2018
Initial Hearing: 7-25-2018

Continued from 25 Jul 2018 for compliance

Count 1: Advertising to be a contractor without a certificate of competency. **Count 2:** Failure to obtain the required license for the contracting of business in the City of Key West.

Legislative History

7/25/18 Code Compliance Hearing Continuance

16

Case # 18-849

Child Life Society
Chaim A. Wolkenfeld
1000 17th Street
Sec. 110-292 Failure to achieve a compliance agreement
Officer Sophia Doctoche
Posted: 7-5-2018
Initial Hearing: 7-25-2018

Continued from 25 Jul 2018

Count 1: Failure to achieve compliance regarding a settlement agreement with Karen Demaria of Urban Forestry.

Legislative History

7/25/18 Code Compliance Hearing Continuance

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Case # 18-866

Zachary Humphries
14 D 10th Avenue
Sec. 18-150 Certificate of competency required
Sec. 66-87 Business tax receipt required
Officer Sophia Doctoche
Certified Mail: 8-1-2018
Initial Hearing: 7-25-2018

Continued from 25 Jul 2018

Count 1: Advertising to be a contractor without the required certificate of competency. **Count 2:** Holding himself out for business in the City of Key West without procuring a city business tax receipt.

Legislative History

7/25/18 Code Compliance Hearing Continuance

19

Case # 18-913

Federal National Mortgage Association

3367 Donald Avenue

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

Officer Sophia Doctoche

Certified Service: 7-31-2018

Initial Hearing: 8-29-2018

Continuance granted to 26 Sept 2018**Count 1:** Redoing windows and door without the benefit of permits.

20

Case # 16-1707

Terence Schmida
 Joanna M Schmida Rev Trust DTD
 Walter G Schmida Rev Trust DTD
 3301 Duck Avenue C
 FBC 1612.4 Flood Hazard Construction
 Sec. 90-356 Building Permit Required
 Sec. 90-363 Certificate of Occupancy
~~Sec. 14-74 Nuisances - Dismissed~~
 FBC 1612.4 Flood Hazard Construction -
 Officer Scott Fraser
 Certified Service: 8-17-2017 - W. Schmida
 Initial Hearing: 8-30-2017

In compliance 15 Aug 2018; request dismissal

Count 1: Within FEMA designated AE-7 flood zone, interior space at ground level has been enclosed and said areas are actively being used for purposes other than the permitted uses for storage, parking or access to higher building levels. **Count 2:** Construct or allow to be constructed without the required building permits enclosed ground-floor areas for habitation. **Count 3:** Allowed occupancy of enclosed areas below the established flood level- constituting an unauthorized change of use from parking and storage to habitation; said enclosed areas not having been issued a certificate of occupancy, as required. **Count 4:** ~~Front of property exits a dilapidated wooden fence with concrete posts, both of which have deteriorated to the point where they present a danger from falling or collapse and injury to the occupants, neighbors and passers-by.~~ **Count 5:** Construct or allow to be constructed an enclosed area below the established floor level without benefit of the required permits a patio area at the rear of this building.

Legislative History

8/30/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
11/15/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

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Case # 18-269

Larry O Strom - President

Nathan Eden ESQ

Jack Niles

Marino Construction Group, Inc

3500 North Roosevelt Boulevard

Sec. 90-356 Building permit required

FBC 1612.4 Flood hazard construction & ASCE 24-05 Unprotected enclosed below design flood elevation - **In compliance 8 Sept 2018;****request dismissal**

Officer Scott Fraser

Certified Service: 6-7-2018 - Jack Niles

Certified Service: 6-20-2018 - Marino Construction Group, Inc

Certified Service: 6-7-2018 - Larry O Strom

Certified Service: 6-7-2018 - Nathan Eden ESQ

Initial Hearing: 7-25-2018

Continued from 25 Jul 2018

Count 1: Construct a non-residential steel-framed metal clad building absent the required building permits. **Count 2:** Within a FEMA delineated type AE-9 flood zone, allow the construction of a non-residential steel-framed metal clad building below the minimum flood safety elevation in the Special Flood Hazard Area.

Legislative History

7/25/18

Code Compliance Hearing

Continuance

22

Case # 16-1414

Stafford Family Trust

724 Olivia Street

Sec. 90-363 Certificate of occupancy - required

Sec. 90-356 Building permits required

~~Sec. 58-61 Determination and levy of charge - Dismissed~~

Officer Leonardo Hernandez

Certified Service: 8-24-2017

Initial Hearing: 9-27-2017

In compliance 21 Aug 2018; request dismissal

Count 1: For failure to obtain a certificate of occupancy for the second unit. **Count 2:** For failure to obtain building permits to convert the second floor into another unit, adding a kitchen and converting the attic into a bedroom. **Count 3:** ~~For failure to pay for the solid waste charges for the second unit.~~

Legislative History

10/18/17	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

23

Case # 17-716

Rockwell Property, Inc. - Property Owner

Gregory G. Farrelly - Registered Agent

816 Fleming Street

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

Officer Leonardo Hernandez

Certified Service: 4-13-2018 - Registered Agent

Certified Service: 4-16-2018 - Property Owner

Initial Hearing: 5-30-2018

Continued from 27 Jun 2018

Count 1: Addition to the roof with black tar coating poured down that extends to the neighbor's property was erected without the required building permits.

Legislative History

5/30/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance

24

Case # 17-885

Carolyn C. Helliesen

Douglas A. Helliesen

1221 Laird Street

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

Officer Leonardo Hernandez

Certified Service: 5-4-2018

Initial Hearing: 5-30-2018

In compliance 16 Aug 2018; request dismissal

Count 1: After-the-fact permit application for upstairs walkway/porch has been in call back status since June 23, 2017 due to the property owners not providing the required supporting documentation.

Legislative History

6/27/18 Code Compliance Hearing Continuance

7/25/18 Code Compliance Hearing Continuance

25

Case # 18-69

Lam Fong Yin

Tong Yat Hok

2108 Harris Avenue

Sec. 14-37 Building permits; professional plans; display of permits;
exceptions; address~~Sec. 14-261 Failure to obtain~~ - **Dismissed**

Sec. 14-262 Request for inspection

Officer Leonardo Hernandez

Posted: 4-10-2018

Initial Hearing: 4-25-2018

Continuance granted to 26 Sept 2018 for compliance

Count 1: For failure to obtain building permits for the interior work involving dry wall, ceiling and exterior porch roof coverage. **Count 2:** ~~An electrical permit was obtained but the work performed was not done by that electrical contractor.~~ - **Dismissed.** **Count 3:** For failure to obtain required electrical inspections.

Legislative History

4/25/18 Code Compliance Hearing Continuance

6/27/18 Code Compliance Hearing Continuance

26

Case # 18-310

Carmar Transportation, Inc
Margaret C. Scholl - Owner
United Stated Corp. Agents, Inc. - Registered Agent
1300 White Street
Sec. 78-126 Required
Sec. 78-91 Required
Officer Leonardo Hernandez
Certified Service: 6-5-2018 - Owner
Initial Hearing: 6-27-2018

In compliance 28 Aug 2018; Request dismissal

Count 1: Failure to obtain required passenger vehicle for hire license.

Count 2: Failure to obtain passenger vehicle for hire driver's permit.

Legislative History

6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

27

Case # 18-745

Ronit Berdugo - Violator

Brian Behar, ESQ. - Registered Agent

The Oaks Key West LLC - Property Owner

330 Julia Street

Sec. 18-601 License required - **Counts 1 through 36**Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - **Counts 37 through 73**Sec. 122-1371 D (9) Transient living accommodations in residential
dwellings; regulations - **Counts 74 through 110**Sec. 18-601 License required - **Counts 111 through 147**

Officer Leonardo Hernandez

Certified Service: 6-21-2018 - Registered Agent

Posted: 6-28-2018 - Violator/Property Owner

Initial Hearing: 6-27-2018

Repeat Violations**Continuance granted to 26 Sept 2018**

Counts 1 through 36: Subject property held out for short term rental without the benefit of a transient rental license. **Counts 37 through 73:** Subject property holding out/advertising for short term rental without the benefit of the required city, county and state licensing. Subject property does not have a transient medallion and has not been inspected by the City of Key West Fire Department. **Counts 74 through 110:** Subject property is holding out for transient rental for 27 nights the dates of 3 Jun 2018 thru 30 Jun 2018 for a total of \$3,529.00. **Counts 111 through 147:** Subject property held out for short term rental without the benefit of a transient rental license.

Legislative History

6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

28

Case # 18-1024

Michael McMahon

100 Admiral Lane

Sec. 18-601 License required - **Counts 1-3**Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - **Count 4**Sec. 122-1371 D (9) Transient living accommodations in residential
dwellings; regulations - **Counts 5-10**

Officer Leonardo Hernandez

Certified Service:

Initial Hearing: 8-29-2018

Repeat/Irreperable**Request continuance to 26 Sept 2018 for service**

Counts 1-3: On July 16, 2018 found the property to be advertised on VRBO.com hosted by Michael McMahon and pre-booked it for 5 nights at a nightly rate of \$596.95 with a service fee of \$180.00 for a total of \$3,164.73 from August 23rd to August 28th, 2018. Previous cases with pending fines #17-166 (02.02.2017), #17-1154 (08.03.2017) & #17-1187 (08.11.2017). **Count 4:** The subject property is holding out/advertising for short term rental without the benefit of the required city, county and state licensing. The subject property does not have a transient medallion and has not been inspected by the City of Key West Fire Department. **Counts 5-10:** July 20, 2018 the subject property was advertised by the host, Michael McMahon on VRBO. com again for the dates of August 28 through September 2, 2018 for a total of \$3,164.73.

29

Case # 18-1050

Kennedy's Cafe
Shukrat Rakhimov
McCar Investment Corporation
924 Kennedy Drive A
Sec. 26-126 Clearing of property of debris and noxious material required
Officer Leonardo Hernandez
Certified Service: 7-26-2018 - Shukrat Rakhimov
7-25-2018 - McCar Investment Corp.
Initial Hearing: 8-29-2018

Settlement Agreement

Count 1: Cooking oil spill that went down the driveway and parking lot areas causing a slip and fall hazard and unsanitary situation. Key West Fire Department was contacted and cordon off the area. Key West Community Services and OMI were contacted for clean up of this incident.

30

Case # 18-1113

Federal National Mortgage Association
2811 Staples Avenue
Sec. 90-363 Certificate of occupancy - Required - **City request dismissal**
Sec. 58-61 Determination and levy of charge
FBC P2503.1 Inspections
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 66-87 Business tax receipt required for all holding themselves out to
be engaged in business
Officer Leonardo Hernandez
Certified Service: 8-6-2018
Initial Hearing: 8-29-2018

New Case

Count 1: For failure to obtain a certificate of occupancy for second unit.
Count 2: For failure to obtain utility accounts for second unit. **Count 3:**
For failure to obtain inspections for plumbing work. **Count 4:** For failure
to obtain building permits for the kitchen, storage room, wall siding and
ceiling work that was done. **Count 5:** For failure to obtain required
business tax receipt to rent non-transiently.

31

Case # 16-773

Brittany D Delgado

~~Mark R Delgado Estate~~

2807 Seidenberg Avenue

Sec. 90-363 Certificate of occupancy - Required

Sec. 58-61 Determination and levy of charge

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

Officer Beau Langford

Certified Service:

~~Posted: 8-10-2017~~

Posted: 7-10-2018

Initial Hearing: 8-30-2017

Continued from 25 Jul 2018 for compliance

Count 1: Failure to obtain a Certificate of Occupancy for residential unit in the rear of the property. **Count 2:** Failure to have Utilities associated with the residential unit in the rear of the property. **Count 3:** Failure to have a non-transient business tax receipt for the residential unit in the rear of the property.

Legislative History

8/30/17	Code Compliance Hearing	Continuance
10/18/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

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Case # 16-1570

Robert Reilly

Nicola Roques

1535 5th Street

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

FBC 1612.4 Flood Hazard Construction & ASCE 24-05 Unprotected
Enclosed Below Design Flood Elevation

Sec. 122-238 Dimensional requirements. Paragraph 6, Section a.

Single-family

Officer Beau Langford

Certified Service: 10-16-2017

Initial Hearing: 11-15-2017

Continued from 30 May 2018 for compliance

Count 1: Construction of a new one room structure and roof structural changes to the original house have been made without the benefit of required permits. **Count 2:** Did install, or installing or allowed to be installed, an inhabitable structure within a FEMA designated AE-8 flood zone, below the minimum required elevation deemed necessary for flood damage prevention. **Count 3:** One room structure is currently being built within the rear setback of the property and possibly on top of a 10' utility easement.

Legislative History

11/15/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
3/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance

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Case # 18-987

Linda Rae Phillips
11 Starfish Pier
Sec. 122-130 Prohibited uses - Counts 1-7
Officer Beau Langford
Certified Service: 7-17-2018
Initial Hearing: 8-29-2018

New Case

Counts 1 - 7: Failure to achieve full compliance with Findings and Order issued from Case# 18-0019.

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Case # 18-989

Linda Rae Phillips
16 Starfish Pier
Sec. 122-130 Prohibited uses - Counts 1-7
Officer Beau Langford
Certified Service: 7-17-2018
Initial Hearing: 8-29-2018

New Case

Counts 1 - 7: Failure to achieve full compliance with Findings and Order issued from Case# 18-0017.

35

Case # 18-1082

Paul S Mills, CPA
1541 5th Street
Sec. 66-102 - **Counts 1 & 2**
Officer Beau Langford
Hand Served: 7-20-2018
Initial Hearing: 8-29-2018

Repeat Violation**Settlement Agreement**

Count 1: Subject business is delinquent with license renewal for 2016-17.

Count 2: Subject business is delinquent with license renewal for 2017-18.

36

Case # 17-1146

Jordan James & Sara Key

1309 Newton Street

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

Sec. 14-40 Permits in historic districts

Sec. 14-262 Request for inspection

Officer Jorge Lopez

Certified Service: 3-26-2018

Initial Hearing: 4-25-2018

Continued from 25 Jul 2018 for compliance

Count 1: For failure to obtain a mechanical permit to install the A/C condenser on the roof. **Count 2:** For failure to obtain HARC approval for installation of the A/C condenser on the roof. **Count 3:** For failure to obtain an inspection for the A/C condenser.

Legislative History

4/25/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

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Case # 17-1203

Browning Family Irrevocable Trust

Michael Leo Browning

1300 White Street

Sec. 78-126 Required

Sec. 78-91 Required

Officer Jorge Lopez

Posted: 7-2-2018

Initial Hearing: 6-27-2018

Continued from 25 Jul 2018

Count 1: Subject business owner has not renewed their vehicle for hire license. **Count 2:** The subject individual has not received their documented permit which is required to operate a passenger vehicle for hire within the city limits.

Legislative History

6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

38

Case # 17-1213

Erwin Mayer & Didier R Moritz - property owner
 1300 15th Court Lot 77
 Sec. 90-363 Certificate of Occupancy - required
 Sec. 58-61 Determination and levy of charge
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Officer Jorge Lopez
 Certified Service: 11-16-2017
 Initial Hearing: 12-20-2017

Continuance granted to 26 Sept 2018 for compliance

Count 1: For failure to obtain a certificate of occupancy for the addition that was built. **Count 2:** For failure to pay impact fees related to utilities. **Count 3:** For failure to obtain building permits for the addition to the trailer and for the installed plumbing.

Legislative History

12/20/17	Code Compliance Hearing	Continuance
1/31/18	Code Compliance Hearing	Continuance
2/28/18	Code Compliance Hearing	Continuance
3/28/18	Code Compliance Hearing	Continuance
4/25/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance
6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance

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Case # 18-185

Wild Sales II, Inc.
 Noam Zano - Registered Agent
 291 Front Street 8
 Sec. 114-103 Prohibited signs
 Officer Jorge Lopez
 Certified Service: 5-7-2018
 Initial Hearing: 5-30-2018

In compliance 9 Aug 2018; request dismissal

Count 1: Observed prohibited signs on the windows and on the exterior doors of this building.

Legislative History

5/30/18	Code Compliance Hearing	Continuance
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7/25/18 Code Compliance Hearing Continuance

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Case # 18-420

La Grignote Inc.
Joel Odou - Registered Agent
1211 Duval St Down
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Officer Jorge Lopez
Certified Service: 6-12-2018
Initial Hearing: 7-25-2018

In compliance 8 Aug 2018; request dismissal

Count 1: Three signs were installed without the required building permits.
Count 2: Eight signs at this location were installed without a certificate of appropriateness.

Legislative History

7/25/18 Code Compliance Hearing Continuance

41

Case # 18-569

American Ambulance Service, Inc
Raul Medina Jr - Registered Agent
3710 North Roosevelt Boulevard
Sec. 66-102 Dates due and delinquent; penalties
Officer Jorge Lopez
Certified Service: 7-25-2018
Initial Hearing: 8-29-2018

In compliance 31 Jul 2018; request dismissal

Count 1: Subject business owner has not renewed their license which expired 20 Sept 2017.

42

Case # 18-615

Martin Busam
1126 Grinnell Street
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Sec. 14-262 Request for inspection
Sec. 102-152 Requirements for permits
Officer Jorge Lopez
Certified Service: 5-23-2018
Initial Hearing: 6-27-2018

Continuance granted to 31 Oct 2018

Count 1: Ductless AC units installed without the benefit of a permit.
Count 2: Metal fence was installed and a new structure is being built in the rear side of the property without the benefit of a HARC certificate of appropriateness. **Count 3:** Two ductless AC units were installed without the benefit of inspections. **Count 4:** Significant alterations were made to the deck at the subject property without the benefit of applying and obtaining the required HARC certificate of appropriateness.

Legislative History

6/27/18 Code Compliance Hearing Continuance

43

Case # 18-668

Waterfront Brewery LLC.
Joseph Walsh - Registered Agent
201 William Street
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Sec. 14-262 Request for inspection
Officer Jorge Lopez
Posted: 7-18-2018
Initial Hearing: 7-25-2018

Continued from 25 Jul 2018

Count 1: Speakers and lights installed on the exterior of the building without obtaining required permits. **Count 2:** Speakers and lights installed on the exterior of the building without obtaining certificate of appropriateness. **Count 3:** Speakers and lights installed at the subject property without the required permits and inspections.

Legislative History

7/25/18 Code Compliance Hearing Continuance

44

Case # 18-755

Joseph Humberger

421 United Street

Sec. 122-630 Dimensional requirements - **City request dismissal**

Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions - **City request dismissal**

Sec. 14-40 Permits in historic districts - **City request dismissal**

Sec. 14-262 Request for inspection - **In compliance 27 Aug 2018;**

Request dismissal

Sec. 26-192 Unreasonably excessive noise prohibited

Officer Jorge Lopez

Certified Service: 7-13-2018

Initial Hearing: 8-29-2018

New Case

Count 1: Structures (2 aviaries) built are in the setback and will need either a variance or to relocate 20 feet back from rear property line. **Count 2:** Failure to obtain an electrical permit for the placement of a camera installed on the second floor of the subject property. **Count 3:** Failure to obtain a certificate of appropriateness for the installation of a camera on the second floor of the subject property. **Count 4:** The camera installed on the subject property's second floor needs an electrical inspection. **Count 5:** A noise complaint was filled out for disturbing noise emanating from multiple birds at the subject property and upon investigation this was found to be a disturbing noise.

45

Case # 18-886

Victor Cushman
909 Grinnell Street
Sec. 90-363 Certificate of occupancy - Required - Unit D
Sec. 90-393 Certificate of occupancy - Required - Unit E
Sec. 90-363 Certificate of occupancy - Required - Unit F
Sec. 90-363 Certificate of occupancy - Required - Unit G
Officer Jorge Lopez
Certified Service: 7-12-2018
Initial Hearing: 8-29-2018

In compliance 18 July 2018, request dismissal

Count 1: Failure to provide as-built certification to the Building Department for Unit D. **Count 2:** Failure to provide as-built certification to the Building Department for Unit E. **Count 3:** Failure to provide as-built certification to the Building Department for Unit F. **Count 4:** Failure to provide as-built certification to the Building Department for Unit G.

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Case # 18-882

Alex's Auto Wrecking & Parts, Inc.
Christine Rodriguez - Registered Agent
111 US 1
Sec. 70-706 New applications/renewals and issuance of non-consensual tow permit; fees
Officer Paul Navarro
Certified Service: 7-9-2018 - R/A
Initial Hearing: 7-25-2018

Continued from 25 Jul 2018 for compliance

Count 1: Subject business has not submitted renewal of their non-consensual towing permit.

Legislative History

7/25/18 Code Compliance Hearing Continuance

47

Case # 18-969

Linda Freeman

Personal Representative of Mr. McKinzie Estate

925 Whitehead Street

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

Sec. 26-31 Offensive and nuisance conditions prohibited

Officer Paul Navarro

Certified Service:

Initial Hearing: 8-29-2018

In compliance 21 Aug 2018; request dismissal

Count 1: Failure to remove a large bee hive on the side of the property.

Count 2: Failure to remove a bee hive that is a nuisance condition.

48

Case # 17-1198

Harold J Merritt II

Marianne L Csigi

1301 Atlantic Drive

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions - **City request dismissal**

Sec. 90-363 Certificate of Occupancy - required - **City request dismissal**

Sec. 58-61 Determination and levy of charge - **City request dismissal**

Sec. 14-262 Request for inspection - **City request dismissal**

FBC 1612.4 & ASCE 24-05 Floor hazard construction

FBC 1612.5; ASCE 24-05 Sec 2.6 Flood venting required

FBC 301.16 Flood hazard

Director Jim Young

Certified Service: 10-23-2017

Initial Hearing: 12-20-2017

Continued from 30 May 2018

Count 1: For failure to obtain building permits to convert the shed into habitable space. **Count 2:** For failure to obtain a Certificate of Occupancy for the shed. **Count 3:** For failure to obtain a solid waste account for shed. **Count 4:** For failure to obtain an electrical inspection for installing electric in the storage area/habitable space below the house for the window air conditioners. **Count 5:** For the construction of habitable space under the elevated home in a flood zone for use other than the permitted uses for storage, parking or access to higher building levels. **Count 6:** For failure to provide adequate flood venting for a substantially improved residential building located in the AE-8 flood zone. **Count 7:** Electrical appliances have been installed below the minimum flood safety elevation.

Legislative History

12/20/17	Code Compliance Hearing	Continuance
3/28/18	Code Compliance Hearing	Continuance
5/30/18	Code Compliance Hearing	Continuance

Mitigations

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Case # 17-253

Reverse Mortgage Solutions, Inc.

Jeffery Baker, President

3415 Duck Avenue

Legislative History

7/25/18	Code Compliance Hearing	Dismissed
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Adjournment