



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Thursday, June 27, 2019

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 # 19-290

Danny's Remodeling, LLC

Daniel Lichtl

6000 Peninsular Avenue, Stock Island

Sec. 66-102 Dates Due and delinquent; penalties

Officer Bonnita Badgett

Certified Mail: 5-28-2019

Initial Hearing: 6-27-2019

In compliance 20 June 2019; Request dismissal

Count 1: Subject business owner has not renewed this business tax receipt which expired 20 September 2018.

2

Case # 19-304

Keys Trees
David Cunningham
1365 Marlin Drive, Marathon
Sec. 66-102 Dates due and delinquent; penalties
Officer Bonnita Badgett
Certified Mail: 5-28-2019
Initial Hearing: 6-27-2019

In compliance 13 June 2019; Request dismissal

Count 1: Subject business owner has not renewed his business tax receipt which expired 30 September 2018.

3

Case # 19-565

B&B Cleaning Service
Maria Barros
8120 14th Terrace, Miami
Sec. 66-102 Dates due and delinquent; penalties
Officer Bonnita Badgett
Certified Mail:
Initial Hearing: 6-27-2019

Request continuance for good service

Count 1: Subject business owner has not renewed their business tax receipt which expired 30 September 2018.

4

Case # 19-680

Wendell A. Wall
1504 18th Terrace
Sec. 66-102 Dates due and delinquent; penalties
Officer Bonnita Badgett
Certified Mail: 5-28-2019
Initial Hearing: 6-27-2019

In compliance 24 June 2019; Request dismissal

Count 1: Subject business owner has not renewed their business tax receipt which expired 30 September 2018.

5

Case # 17-1038

Carol Eisenman
 3632 Duck 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
 Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
 Officer Sophia Doctoche
 Certified Mail: 5-1-2019
 Initial Hearing: 6-27-2019

In compliance 17 June 2019; Request dismissal

Count 1: Failure to apply for and obtain a Certificate of Occupancy for the additional residential unit on the property. **Count 2:** Failure to pay back utility fees owed in the amount of \$5,756.32. **Count 3:** Failure to update the business tax receipt to reflect the new and additional unit for rent. **Count 4:** Failure to remove the wall and add steps to the area or remove the kitchen in the denied unit by a licensed contractor.

6

Case # 18-245

Michael Baker
 Lori Wilder
 3325 Eagle Avenue
 Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
 Officer Sophia Doctoche
 Posted: 4-4-2019
 Initial Hearing: 4-24-2019

In compliance 23 May 2019; Request dismissal

Count 1: Failure to follow through with permit #18-1001 to change a wooden fence to a PVC fence since 15 March 2018.

Legislative History

4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance

7

Case # 18-2089

Duval and Caroline, LLC

Joseph Walsh

429 Caroline Street

Sec. 66-109 Schedule of taxes - In compliance 26 June 2019; Request dismissal

Sec. 14-40 Permits in historic districts

Officer Sophia Doctoche

Posted: 4-30-2019

Initial Hearing: 4-24-2019

Continued from 29 May 2019

Count 1: Failure to obtain seating authorization for the seats located at the subject property. **Count 2:** Failure to apply for and obtain an after the fact certificate of appropriateness for the subject property.

Legislative History

4/24/19 Code Compliance Hearing Continuance

5/29/19 Code Compliance Hearing Continuance

8

Case # 19-32

TR Enterprises, Inc.

Timothy J. Ryan - RA

700 Front Street

Sec. 66-109 Schedule of taxes

Officer Sophia Doctoche

Certified Mail: 6-4-2019

Initial Hearing: 6-27-2019

In compliance 26 June 2019; Request dismissal

Count 1: Failure to apply for a revised seating authorization for Boat House and Commodore Restaurants.

9

Case # 19-152

BB's Barbershop

Avery V Gardner - Violator

Michael Drago - Violator

2215 Flagler Avenue

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

Officer Sophia Doctoche

Certified Mail: 4-8-2019 - Avery V Gardner

Certified Mail: 4-8-2019 - Michael Drago

Initial Hearing: 5-29-2019

Continued from 29 May 2019 for compliance; Avery V Gardner in compliance 6 Jun 2019**Count 1:** Operating as a barber without the benefit of a business tax receipt.Legislative History

5/29/19 Code Compliance Hearing Continuance

10

Case # 19-252

531 Whitehead St, LLC

Assaf Azoulay - RA

531 Whitehead Street

Sec. 14-40 Permits in historic districts

Sec. 114-103 Prohibited signs

Officer Sophia Doctoche

Certified Mail: 4-12-2019

Initial Hearing: 5-29-2019

In compliance 31 May 2019; Request dismissal**Count 1:** Signage and lattice that has not been approved by HARC.**Count 2:** Failure to remove prohibited signage.Legislative History

5/29/19 Code Compliance Hearing Continuance

11

Case # 19-596

1101-03 Petronia Street, LLC

Heather Whitehead

1101 Petronia Street

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

Sec. 14-40 Permits in historic districts

Officer Sophia Doctoche

Certified Mail: 4-27-2019

Initial Hearing: 6-27-2019

In compliance 1 May 2019; Request dismissal

Count 1: Stop work order placed for failure to obtain permits for repair of hand rail. **Count 2:** Failure to obtain a Certificate of Appropriateness from the HARC Department.

12

Case # 19-732

Robert Phillip Barnett

831 Thomas Street

Sec. 66-102 Dates due and delinquent; penalties

Officer Sophia Doctoche

Certified Mail: 5-7-2019

Initial Hearing: 6-27-2019

In compliance 6 May 2019; Request dismissal

Count 1: Failure to renew non-transient business tax receipt which expired 30 September 2018.

13

Case # 19-733

Ellen G. Cantrell

1317 Reynolds Street

Sec. 66-102 Dates due and delinquent; penalties

Officer Sophia Doctoche

Certified Mail:

Initial Hearing: 6-27-2009

In compliance 8 May 2019; Request dismissal

Count 1: Failure to renew non-transient business tax receipt which expired 30 September 2018.

14

Case # 19-49

Diane M. Wood
1202 Von Phister Street
Sec. 26-126 Clearing of property of debris and noxious material required
Sec. 108-677 Parking and storage of certain vehicles
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Sec. 14-40 Permits in historic districts
Officer Lindsey Dunlap
Certified Mail: 3-28-2019
Initial Hearing: 4-24-2019

In compliance 19 June 2019; Request dismissal

Count 1: Failure to remove accumulated debris and yard waste from the subject location. **Count 2:** A dozen vehicles with expired or no tags being stored on the subject location. **Count 3:** Stop work order was placed for a shed being built without the benefit of a permit. **Count 4:** Removal of siding in the rear side of the property without the benefit of a permit. **Count 5:** Failure to obtain a certificate of appropriateness for a shed being built. **Count 6:** Failure to obtain a certificate of appropriateness for the removal and replacement of siding.

Legislative History

4/24/19 Code Compliance Hearing Continuance

15

Case # 19-307

Bone Island Graphics LLC
Barbara R. Feinberg - RA
1120 White Street
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Lindsey Dunlap
Certified Mail: 4-25-2019
Initial Hearing: 6-27-2019

In compliance 30 April 2019; Request dismissal

Count 1: Failure to pay fire inspection fee. The fire inspection was performed on 4/4/2018.

16

Case # 19-359

L T Builders LLC
Layne W. Thrasher - RA
1700 North Roosevelt Boulevard 1
Sec. 66-102 Dates due and delinquent; penalties
Officer Lindsey Dunlap
Certified Mail: 4-23-2019
Initial Hearing: 6-27-2019

In compliance 26 June 2019; Request dismissal

Count 1: Failure to renew business tax receipt which expired 30 September 2018.

17

Case # 19-561

China's Cleaning Service
Roxanna Rodriguez
1200 First Street N7 - Mobile Service
Sec. 66-102 Dates due and delinquent; penalties
Officer Lindsey Dunlap
Certified Mail:
Initial Hearing: 6-27-2019

Request continuance for good service

Count 1: Subject business owner has not renewed their business tax receipt which expired 30 September 2018.

18

Case # 19-572

Yuniesky Enterprise LLC
Yosbani Fundora
410 Avenue A, Big Coppitt Key
Sec. 66-102 Dates due and delinquent; penalties
Officer Lindsey Dunlap
Certified Mail: 5-30-2019
Initial Hearing: 6-27-2019

New Case

Count 1: Subject business owner has not renewed their business tax receipt which expired 30 September 2018.

19

Case # 19-296

Braden B Plant

620 Thomas Street 279

Sec. 66-103 Transfer of license - Counts 1 & 2

Sec. 66-102 Dates due and delinquent; penalties - Counts 3 & 4

Officer Beau Langford

Certified Mail: 4-27-2019

Initial Hearing: 5-29-2019

In compliance 21 June 2019; Request dismissal

Count 1: Business tax receipt #19766 needs to be transferred from Tri-Star Properties LLC to Braden B Plant. **Count 2:** Business tax receipt #16316 needs to be transferred from Tri-Star Properties LLC to Braden B Plant. **Count 3:** Business tax receipt #19766 has not renewed their license which expired 30 September 2018. **Count 4:** Business tax receipt #16316 has not renewed their license which expired 30 September 2018.

Legislative History

5/29/19 Code Compliance Hearing Continuance

20

Case # 19-722

DGK Key West LLC

1320 Seminary Street

Sec. 66-102 Dates due and delinquent; penalties

Officer Paul A. Navarro

Certified Mail: 5-24-2019

Initial Hearing: 6-27-2019

In compliance 21 May 2019; Request dismissal

Count 1: Subject business has not renewed their license which expired 30 September 2018.

21

Case # 19-810

Yeliney Portal De Armas

3110 Flagler Avenue

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

Officer Paul Navarro

Certified Mail: 6-4-2019

Initial Hearing: 6-27-2019

In compliance 25 June 2019; Request dismissal**Count 1:** Yeliney Portal De Armas was found performing as a nail technician without a business tax receipt.

22

Case # 19-640

Robert Mathews

27853 Coral Shores Road, Summerland Key

Sec. 66-102 Dates due and delinquent; penalties

Officer Dorian Patton

Certified Mail:

Initial Hearing: 6-27-2019

In compliance 22 May 2019; Request dismissal**Count 1:** Subject business owner has not renewed their license which expired 30 September 2018.

23

Case # 18-1784

Lindholm Construction, Inc

Richard Lindholm - Registered Agent

Native Builders, Inc

Carl Denny - Registered Agent

Nicholas Obea LLC

Clint Gordon - Registered Agent

1610 Dennis Street

Sec. 14-262 Request for inspection

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

Officer Rebecca Porter

Certified Mail: 5-30-2019 - Lindholm Construction, Inc.

Certified Mail: 5-30-2019 - Native Builders, Inc.

Certified Mail:

Initial Hearing: 6-27-2019

Continuance granted to 28 August 2019

Count 1: Electrical work was performed without the benefit of permit and inspection. **Count 2:** Interior structural work at the subject location without the benefit of a permit. **Count 3:** Interior plumbing work performed at the subject location without the benefit of a permit.

24

Case # 17-1146

Jordan James & Sara Key

1309 Newton Street

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions - **In compliance 9 Nov 2018; Request dismissal**Sec. 14-40 Permits in historic districts - **In compliance 9 Nov 2018;****Request dismissal**

Sec. 14-262 Request for inspection

Director Jim Young

Certified Service: 3-26-2018

Initial Hearing: 4-25-2018

In compliance 17 June 2019; Request dismissal

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
8/29/18	Code Compliance Hearing	Continuance
10/31/18	Code Compliance Hearing	Continuance
11/28/18	Code Compliance Hearing	Continuance
1/30/19	Code Compliance Hearing	Continuance
2/27/19	Code Compliance Hearing	Continuance
3/27/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance

25

Case # 18-241

Theresa Cioffi

Wilmington Trust Company

CT Corporation System - Registered Agent

3222 Riviera Drive

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

Sec. 122-238 Dimensional requirements

~~Sec. 26-32 Nuisance illustrated~~ - **Dismissed**~~Sec. 26-126 Clearing of property of debris and noxious material required~~ -**Dismissed**

Director Jim Young

Certified Service: 6-15-2018 - Registered Agent

Certified Service: 7-17-2018 - Theresa Cioffi - Amended Notice

Initial Hearing: 5-30-2018

Continuance granted to 28 Aug 2019

Count 1: Observed the roof built in the setbacks and a detached dwelling that the city does not recognize which did not have the required permits and inspections. **Count 2:** The roof is located in the rear side of the subject property in the setbacks. **Count 3:** ~~Observed the pool with stagnant water that is a breeding ground or feeding area for mosquitoes.~~ - Dismissed. **Count 4:** ~~Debris located on the driveway of this property which causes a nuisance or other unsightly or unsanitary condition.~~ - Dismissed.

Legislative History

5/30/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
10/31/18	Code Compliance Hearing	Continuance
1/30/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance

26

Case # 18-536

Brugman Holdings LLC - Owner

Thomas J Sireci, Jr - Registered Agent

10 Hilton Haven Drive C

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

Director Jim Young

Certified Service: 5-30-2018 - Owner

Certified Service: 5-23-2018 - Registered Agent

Initial Hearing: 6-27-2018

Continued from 29 May 2019 for compliance**Count 1:** Failure to obtain an after-the-fact building permit for interior framing of shed and dock behind shed.**Legislative History**

6/27/18	Code Compliance Hearing	Continuance
7/25/18	Code Compliance Hearing	Continuance
9/26/18	Code Compliance Hearing	Continuance
10/31/18	Code Compliance Hearing	Continuance
11/28/18	Code Compliance Hearing	Continuance
1/30/19	Code Compliance Hearing	Continuance
2/27/19	Code Compliance Hearing	Continuance
3/27/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance

27

Case # 18-1211

Island-West Investments Corp.

Richard Estevez - Owner

Hugh J Morgan - Registered Agent

1213 14th Street 41

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

Director Jim Young

Certified Mail: 12-12-2018 - Hugh Morgan

Certified Mail: 12-18-2018 - Richard Estevez

Initial Hearing: 1-30-2019

Continued from 29 May 2019 for compliance

Count 1: Failure to obtain a building permit for an addition built. A demolition permit had been applied for on 6 Nov 2018 and more details are needed along with the property card.

Legislative History

1/30/19	Code Compliance Hearing	Continuance
3/27/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance

28

Case # 18-2029

218 Duval Street Corp.

Elizabeth Johnson - Business Registered Agent

Famlo Development Corporation

Michael Halpern - Building Registered Agent (Amended Notice only)

Jennifer Stefanacci Doll - Sec. 26-32 only (Original Notice)

218 Duval Street

~~Sec. 26-32 Nuisances illustrated (Original Notice only)~~ - **Dismissed**Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions (Amended Notice) - **In compliance 24 Jun 2019;****Request dismissal**Sec. 14-40 Permits in historic districts (Amended Notice) - **In compliance
24 Jun 2019; Request dismissal**Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions (Amended Notice)

Sec. 14-262 Request for inspection (Amended Notice)

Director Jim Young

Certified Mail: 12-7-2018 (Original Notice) - Jennifer Stefanacci Doll

Certified Mail: 1-4-2019 (Amended Notice) - Michael Halpern

Posted: 1-17-2019 (Amended Notice) - Elizabeth Johnson

Initial Hearing: 1-30-2019

Continuance granted to 31 July 2019 for compliance

Count 1 (Original Notice): ~~The use of a foam machine spreading foam on the City's right of way which was causing a hazard to pedestrians and adjacent properties.~~ **Dismissed.** **Count 1 (Amended Notice):** Two signs installed without the benefit of a building permit. **Count 2 (Amended Notice):** Signs installed without the benefit of a certificate of appropriateness. **Count 3 (Amended Notice):** Two flood lights installed without the benefit of an electrical permit. **Count 4 (Amended Notice):** Electrical work performed without an inspection.

Legislative History

1/30/19	Code Compliance Hearing	Continuance
2/27/19	Code Compliance Hearing	Continuance
3/27/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance

29

Case # 18-2033

SK II, Inc.
 Robert A. Spottswood - RA
 2700 North Roosevelt Boulevard
 Sec. 122-63 Review; enforcement
 Director Jim Young
 Certified Mail:
 Initial Hearing: 3-27-2019

Continued from 29 May 2019 for compliance

Count 1: The masonry wall behind store plaza was damaged and needs to be replaced as per Resolution 89-26. Our records indicate that an application has not been submitted to rebuild the masonry wall. The only permit applied for is Permit #2018-2722 to remove fence debris.

Legislative History

3/27/19	Code Compliance Hearing	Continuance
4/24/19	Code Compliance Hearing	Continuance
5/29/19	Code Compliance Hearing	Continuance

30

Case # 19-253

Poinciana Park Partners, LLP - Mobile Home Park Owner
 Erwin & Didier M. Mayer
 Evelyne Cajuste & Pierre Louis - Mobile Home Owner
 1300 15th Court Lot 45
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
 Sec. 14-262 Request for inspection
 Director Jim Young
 Posted: 4-26-2019 - Mobile Home Owner
 Posted: 4-26-2019 - Mobile Home Park
 Initial Hearing: 4-24-2019

In compliance 19 June 2019; Request dismissal

Count 1: Failure to obtain building permits for the structure built in the rear side of the mobile home. **Count 2:** Failure to obtain an electrical permit for the enclosed structure. **Count 3:** Failure to obtain the required electrical inspection.

Legislative History

4/24/19	Code Compliance Hearing	Continuance
---------	-------------------------	-------------

5/29/19 Code Compliance Hearing Continuance

Liens

31

Case # 19-917

Henry David Hawkins
651 William Street, Apartment 4
Sec. 42-1 Offenses under state law - Possession of Cannabis
Certified Mail:
Initial Hearing: 6-27-2019

In compliance 25 June 2019; Request dismissal

HARC Appeals

32

SMA 19-01

Tannex Development, L.C.
Barton W. Smith, Esq.
Mallory Square
H17-03-0008

Legislative History

5/29/19 Code Compliance Hearing Continuance

Adjournment