



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Wednesday, September 25, 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 # 18-1922

3314 Northside Dr. 29 LLC

Joanne Tarantino Wilson

3314 Northside Drive 29

Sec. 90-363 Certificate of occupancy required

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

Officer Bonnita Badgett

Posted: 8-2-2019

Initial Hearing: 7-31-2019

Continued from 28 August 2019

Count 1: An "As built certificate" or other means of proof is needed to show the unit meets the Florida Building Code as is required for the process of the Legal Unit Determination for the 2nd Unit. **Count 2:** Apply for and obtain a business tax receipt as is required for the process of the Legal Unit Determination for the 2nd Unit if being rented out.

Legislative History

8/28/19

Code Compliance Hearing

Continuance

2

Case # 19-604

Orogold Cosmetics

Nir Chen

Zohar Alon

518 Duval Street

Repeat - Sec. 18-705 Requirement of permit holder (3) No written statement

Sec. 18-705 Requirement of permit holder (8) Consent Form

Sec. 18-705 Requirement of permit holder (9) Use of disposable applicators and disposable gloves

Repeat - Sec. 18-705 Requirement of permit holder (3) No written statement

Sec. 18-705 Requirement of permit holder (8) Consent Form

Sec. 18-705 Requirement of permit holder (9) Use of disposable applicators and disposable gloves

Officer Bonnita Badgett

Certified Mail: 4-15-2019 - Nir Chen

Certified Mail: 4-15-2019 - Zohar Alon

Initial Hearing: 5-29-2019

Continued from 31 July 2019 - Repeat Counts 1 & 4

Count 1: Failure to provide a written statement to sign before applying sample products to Mr. Keller's face. - **Repeat.** **Count 2:** Failure to provide a consent form before applying sample products to Mr. Keller's face. **Count 3:** Failure to use gloves while applying sample products to Mr. Keller's face. **Count 4:** Failure to provide a written statement to sign before applying sample products to Ms. De More's face. - **Repeat.** **Count 5:** Failure to provide a consent form before applying sample products to Ms. De More's face. **Count 6:** Failure to use gloves while applying sample products to Mr. De More's face.

Legislative History

5/29/19	Code Compliance Hearing	Continuance
7/31/19	Code Compliance Hearing	Continuance

3

Case # 19-918

Havaianas
Maritza Mendez
300 Front Street #1
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Bonnita Badgett
Certified Mail: 8-22-2019
Initial Hearing: 9-25-2019

In compliance 27 August 2019; Request dismissal

Count 1: Failure to pay a \$100.00 invoice for a fire inspection.

4

Case # 19-1288

Salley, LLC
Donald R. Hall - RA
Truman & Co, Inc.
Terri Spottswood - RA
311 Elizabeth Street
Sec. 18-601 License required - Counts 1-6
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - Counts 7-9
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - Counts 10-15
Officer Sophia Doctoche
Certified Mail: 8-28-2019 - Salley, LLC
Certified Mail: 8-26-2019 - Truman & Co., Inc.
Initial Hearing: 9-25-2019

New Case - Irreparable Violations

Counts 1-6: Short term rental for 6 nights of the cottage without the benefit of a transient rental license. Short term advertising of cottage and 3rd floor without the benefit of a transient rental license. **Counts 7-9:** 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 for the cottage and has not been inspected by the City of Key West Fire Department. **Counts 10-15:** Holding out for transient rental for 6 nights the dates of August 16-22, 2019 for the cottage. Also the cottage is rented from December 22-29, 2019 for \$905.63.

5

Case # 19-1362

Kenneth C. Trent

1430 South Street

Sec. 18-601 License required - Counts 1-7

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - Counts 8-10Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - Counts 11-17

Sec. 110-259 Duty of private property owner - Count 18

Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions - Count 19

Sec. 14-262 Request for inspection - Count 20

Officer Sophia Doctoche

Certified Mail: 9-16-2019

Initial Hearing: 9-25-2019

Continuance granted to 30 October 2019**Counts 1-7:** Subject property held out for short-term rental without the benefit of a transient rental license. Previously cited case #17-902.**Counts 8-10:** Subject property holding out/advertising for short-term rental without the benefit of the required city, county, or state licensing. Does not have a transient medallion and has not been inspected by the City of Key West Fire Department. Previously cited case #17-902.**Counts 11-17:** Subject property owner holding out for transient rental for seven nights the dates of 29 August 2019 through 5 September 2019 for \$4,774.13. Previously cited case #17-902. **Count 18:** Areca palms obstructing the sidewalk. **Count 19:** Failure to obtain permits for an outdoor shower and a tiki with electrical installed. **Count 20:** Failure to obtain the required electrical inspection for the tiki.

6

Case # 17-1178

Jean Winfred Scheu
1300 15th Court Lot 4
Riche Mackendy
1300 15th Court Lot 76
FBC 301.11 Unsecured Fuel Tank
Officer Edward Keane
Certified Mail: 9-1-2019 - Riche Mackendy
Initial Hearing: 9-25-2019

In compliance 24 September 2019; Request dismissal

Count 1: Unsecured propane tanks servicing mobile home within the Special Flood Hazard Area within a type AE-7 flood zone.

7

Case # 19-853

Nadege Lozin
1213 14th Street 79
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Edward Keane
Posted: 9-12-2019
Initial Hearing: 9-25-2019

New Case

Count 1: Failure to obtain a building permit for a wooden structure attached to the mobile home.

8

Case # 19-863

Lil' Lepouski
John Lepouski
722 Duval Street
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Sec. 2-939 Revocable licenses
Sec. 114-103 Prohibited signs
Officer Edward Keane
Certified Mail: 8-23-2019
Initial Hearing: 8-28-2019

In compliance 25 September 2019; Request dismissal

Count 1: Failure to obtain permits for installed signs. **Count 2:** Failure to apply for and obtain the HARC permits for installed signs. **Count 3:** Failure to obtain a revocable license for an installed sign over the public right of way. **Count 4:** Failure to remove prohibited signs.

Legislative History

8/28/19 Code Compliance Hearing Continuance

9

Case # 19-1102

William Martin
Whitherspoon Partners-Key West, LLC
5601 College Road 305
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-327 Inspection
Officer Edward Keane
Certified Mail: 9-4-2019
Initial Hearing: 9-25-2019

City Requesting Dismissal

Count 1: Failure to obtain mechanical permit for installation of an air conditioner condenser. **Count 2:** Failure to obtain the mechanical inspection for the installed air conditioner condenser.

10

Case # 19-1280

Pamela Elizabeth Adams

313 Catherine Street Unit 2

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

Sec. 14-327 Inspection

Sec. 14-40 Permits in historic districts

Officer Edward Keane

Certified Mail: 9-14-2019

Initial Hearing: 9-25-2019

New Case

Count 1: Failure to obtain the appropriate building permit for installation of an air conditioner condenser. **Count 2:** Failure to obtain a mechanical inspection for an installed air conditioner condenser. **Count 3:** Failure to obtain a HARC certificate of appropriateness for installation of an air conditioner condenser.

11

Case # 19-1371

Terance E Keenan

1021 Watson Street

Sec. 26-32 Nuisances illustrated

Officer Edward Keane

Certified Mail:

Initial Hearing: 9-25-2019

Continuance granted to 30 October 2019

Count 1: Pool was observed to have stagnant water at the bottom.
Repeat violation - Case # 18-125.

12

Case # 19-807

C&V Multi Services Group Inc.
Josie Val - Registered Agent
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: 6-26-2019
Initial Hearing: 7-31-2019

Continued from 28 August 2019 for Payment of Administrative Fees

Count 1: Failure to apply for business tax receipts for all the services that are provided at the subject property.

Legislative History

7/31/19	Code Compliance Hearing	Continuance
8/28/19	Code Compliance Hearing	Continuance

13

Case # 19-463

G. B & B-B Registries, LLC
210 Simonton Street Lot
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 Dorian Patton
Certified Mail: 8-9-2019
Initial Hearing: 9-25-2019

Continuance granted to 30 October 2019

Count 1: Failure to obtain building permits for all signs placed, security cameras installed, and electric wiring running to a shed with lights running throughout the property. **Count 2:** Failure to obtain HARC certificate of appropriateness for all signs placed, security cameras installed, and electric wiring running to a shed with lights running throughout the property. **Count 3:** Failure to receive inspections for electrical work done on the property.

14

Case # 19-556

Christopher Gazzale

Douglas C Hart

1818 Venetia Street

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

Sec. 14-327 Inspection

Officer Dorian Patton

Certified Mail: 8-15-2019 - Douglas C Hart

Initial Hearing: 9-25-2019

New Case**Count 1:** Failure to obtain a building permit for A/C work performed.**Count 2:** Failure to obtain a final inspection for the A/C work performed.

15

Case # 19-804

Alena Lembach

3226 Eagle Avenue

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

Officer Dorian Patton

Certified Mail: 8-22-2019

Initial Hearing: 9-25-2019

In compliance 25 September 2019; Request dismissal**Count 1:** Failure to obtain a building permit for work being done including
a roof addition, front doors, interior framing and drywall.

16

Code # 19-852

Jose A. Juarez-Sanchez

1213 14th Street Lot 76

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

Officer Dorian Patton

Certified Mail:

Initial Hearing: 9-25-2019

Request continuance for good service**Count 1:** Failure to remove added structure from the home.

17

Case # 19-862

Key West Sign Company LLC

901 Fleming Street LLC

901 Fleming Street

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

Officer Dorian Patton

Hand Served: 8-13-2019 - Key West Sign Company LLC

Certified Mail: 8-22-2019 - 901 Fleming Street LLC

Initial Hearing: 9-25-2019

Continuance granted to 20 Nov 2019**Count 1:** Failure to obtain a building permit for a structure built.

18

Case # 19-991

Quiet Storm

Gregory S Oropeza - RA

431 Duval Street

Sec. 114-103 Prohibited signs

Sec. 14-40 Permits in the historic districts

Officer Dorian Patton

Hand Served: 8-30-2019

Initial Hearing: 9-25-2019

In compliance 25 Sept 2019; Request dismissal

Count 1: Failure to obtain appropriate permits for the installation of A-Frame signs and vinyl lettering on the windows. **Count 2:** Failure to obtain the appropriate HARC certificate of appropriateness for the installation of signage on the building.

19

Case # 19-1001

Pinchers Crab Shack of Key West

708 Duval Street

Sec. 14-40 Permits in historic districts

Sec. 114-103 Prohibited signs

Officer Dorian Patton

Certified Mail: 8-26-2019

Initial Hearing: 9-25-2019

New Case

Count 1: Failure to obtain a HARC certificate of appropriateness for an A-Frame sign. **Count 2:** Failure to remove the A-Frame sign that is not permitted through HARC.

20

Case # 19-914

Coach Factory Store

515 Duval Street

~~Sec. 30-1 Fees for false alarms and fire code inspection - Dismissed~~

Sec. 66-103 Transfer of License

Officer Rebecca Porter

Hand Served: 7-27-2019

Initial Hearing: 8-28-2019

In compliance 16 September 2019; Administrative fee pending~~**Count 1:** Failure to pay the delinquent fire inspection fees for fire inspections performed in December 2017 and September 2018. -~~**Dismissed. Count 2:** Failure to transfer the business tax receipt as the corporate ownership had changed.Legislative History

8/28/19 Code Compliance Hearing Continuance

21

Case # 19-921

Pete F. Woldanski

316 Julia Street

Sec. 10-11 Keeping fowl or wildlife

Officer Rebecca Porter

Posted: 8-2-2019

Initial Hearing: 8-28-2019

In compliance 21 September 2019; Administrative fees pending**Count 1:** Containers of food on the ground around the house for feeding chickens which are nesting and residing on the property.Legislative History

8/28/19 Code Compliance Hearing Continuance

22

Case # 19-1021

Jesus Gomez
617 Front Street
1105 Simonton Street
105 5th Court, Stock Island
Sec. 18-354 Permit required; application; franchise fees
Officer Rebecca Porter
Certified Mail: 7-27-2019
Initial Hearing: 8-28-2019

In compliance 3 September 2019; Request dismissal

Count 1: More than 45 days delinquent for their annual recreational vehicle permit inspection.

Legislative History

8/28/19 Code Compliance Hearing Continuance

23

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)~~ - **Dismissed**~~Sec. 14-40 Permits in historic districts (Amended Notice)~~ - **Dismissed**

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

In compliance 29 August 2019; Request dismissal

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.~~ - **Dismissed.**

Count 2 (Amended Notice): ~~Signs installed without the benefit of a certificate of appropriateness.~~ - **Dismissed.** **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
6/27/19	Code Compliance Hearing	Continuance
7/31/19	Code Compliance Hearing	Continuance
8/28/19	Code Compliance Hearing	Continuance

24

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

In compliance 10 September 2019; Request dismissal

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
6/27/19	Code Compliance Hearing	Continuance
7/31/19	Code Compliance Hearing	Continuance
8/28/19	Code Compliance Hearing	Continuance

Adjournment