



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Wednesday, November 20, 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 30 Oct 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
9/25/19	Code Compliance Hearing	Continuance
10/30/19	Code Compliance Hearing	Continuance

2**Case # 19-1189**

Javier H. Castano

1221 2nd Street

Sec. 58-31 Container and receptacle requirements

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

Sec. 58-35 Requirements for bulk and excess yard waste pickup

Officer Bonnita Badgett

Certified Mail:

Initial Hearing: 11-20-2019

New Case

Count 1: Failure to store bins off of the city right of way. **Count 2:** Plants overgrown on the city right of way. **Count 3:** Yard debris obstructing the city right of way.

3**Case # 19-1487**

Konk Life

Guy Debour

1127 1127 1100 1195 United Street

Sec. 62-176 Labels Required

~~Sec. 66-102 Dates due and delinquent; penalties --~~ **Dismissed.**

Officer Bonnita Badgett

Certified Mail: 10-17-2019

Initial Hearing: 10-30-2019

In compliance 8 Nov 2019; Fees pending

Count 1: Failure to renew annual news rack permit. **Count 2:** ~~Failure to renew business license by September 30, 2019.~~ **Dismissed.**

Legislative History

10/30/19

Code Compliance Hearing

Continuance

4

Case # 19-1362

Kenneth C. Trent

1430 South Street

Sec. 18-601 License required - Counts 1-7 - **Settlement agreement**Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - Counts 8-10 - **Settlement agreement**Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations - Counts 11-17 - **Settlement agreement**Sec. 110-259 Duty of private property owner - Count 18 - **In compliance
25 September 2019; Request dismissal**Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions - Count 19 - **In compliance 18 Nov 2019; Request
dismissal**Sec. 14-262 Request for inspection - Count 20 - **In compliance 18 Nov
2019; Request dismissal**

Officer Sophia Doctoche

Certified Mail: 9-16-2019

Initial Hearing: 9-25-2019

Continued from 30 Oct 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.**Legislative History**

9/25/19	Code Compliance Hearing	Continuance
10/30/19	Code Compliance Hearing	Continuance

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Case # 19-1486

Konk Life
Guy Deboer - Registered Agent
280 Margaret Street
Sec. 62-176 Label required
Officer Sophia Doctoche
Certified Mail: 10-5-2019
Initial Hearing: 10-30-2019

In compliance 5 Nov 2019; Fees pending.

Count 1: Failure to apply for the application and permit for the news rack that is on the City right of way.

Legislative History

10/30/19 Code Compliance Hearing Continuance

6

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; exceptions
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Edward Keane
Certified Mail: 5-30-2019 - Lindholm Construction, Inc.
Certified Mail: 5-30-2019 - Native Builders, Inc.
Posted: 7-19-2019 - Nicholas Obea LLC
Initial Hearing: 6-27-2019

Continued from 30 Oct 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.

Legislative History

6/27/19 Code Compliance Hearing Continuance

8/28/19	Code Compliance Hearing	Continuance
10/30/19	Code Compliance Hearing	Continuance

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Case # 19-1252

Patrick W Oneal

3314 Northside Drive 112

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

Officer Edward Keane

Certified Mail: 10-8-2019

Initial Hearing: 10-30-2019

In compliance 18 Nov 2019; Request dismissal**Count 1:** Failure to obtain a permit for the building of a deck.Legislative History

10/30/19	Code Compliance Hearing	Continuance
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8

Case # 19-1371

Terance E Keenan

1021 Watson Street

Sec. 26-32 Nuisances illustrated

Officer Edward Keane

Posted: 10-9-2019

Initial Hearing: 9-25-2019

Continued from 30 Oct 2019 - Repeat Violation**Count 1:** Pool was observed to have stagnant water at the bottom.
Repeat violation - Case # 18-125.Legislative History

9/25/19	Code Compliance Hearing	Continuance
10/30/19	Code Compliance Hearing	Continuance

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Case # 19-1444

La Bodeguita Del Medio De Key West, Inc

Ludaime Avila Vega - Registered Agent

722 Duval Street

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

Officer Edward Keane

Hand Served: 10-11-2019

Initial Hearing: 10-30-2019

In compliance 14 Nov 2019; Request dismissal**Count 1:** Failure to obtain a business tax receipt.Legislative History

10/30/19 Code Compliance Hearing Continuance

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Case # 19-1482

Michael Herrera

1005 Eaton Street

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

Sec. 14-40 Permits in historic districts

Sec. 18-117 Acts declared unlawful

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 Edward Keane

Posted: 11-7-2019

Initial Hearing: 10-30-2019

Continued from 30 Oct 2019**Count 1:** Failure to obtain permits for interior renovation with plumbing and electrical being done. Repeat cases #18-1904. **Count 2:** Failure to obtain a certificate of appropriateness for work being performed. Repeat violation case #18-1904. **Count 3:** Work being performed by unlicensed construction workers. Repeat case #18-2070. **Count 4:** Mr. Herrera does not have a valid certificate of competency. Repeat case #18-1904.**Count 5:** Mr. Herrera does not have a license for the City of Key West. Repeat cases #18-1904.Legislative History

10/30/19 Code Compliance Hearing Continuance

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Case # 19-1514

James R Phillips

2325 Harris Avenue

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

Sec. 14-262 Request for inspection

FBC P2503.1 Inspection required

Officer Edward Keane

Certified Mail: 10-15-2019

Initial Hearing: 10-30-2019

In compliance 13 Nov 2019; Request dismissal

Count 1: Failure to obtain building permits for installation of cabinets, sliding doors, plumbing, and electrical work. **Count 2:** Failure to obtain an electrical inspection. **Count 3:** Failure to obtain plumbing inspection.

Legislative History

10/30/19 Code Compliance Hearing Continuance

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Case # 19-1520

Bourbon Street Pub Inc

Joseph J Schroeder - Register Agent

724 Duval Street

Sec. 90-142 Historic Architectural Commission Design Guidelines
adopted

Officer Paul Navarro

Certified Mail: 10-21-2019

Initial Hearing: 11-20-2019

New Case

Count 1: Unpermitted and prohibited animated sign on top of the door, LED strip lights around the door frame, and a TV in the HARC district.

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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

In compliance 4 Nov 2019; Request dismissal**Count 1:** Failure to obtain a building permit for a structure built.**Legislative History**

9/25/19 Code Compliance Hearing Continuance

10/30/19 Code Compliance Hearing Continuance

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Case # 11-678

Earl Washington

315 Virginia Street

Sec. 6-4 Permit regulations

Director Jim Young

Certified Mail:

Initial Hearing: 29 June 2011

City request to vacate findings and order; Request dismissal.**Count 1:** Use of amplified music.

15

Case # 18-241Lawney Management Company - **New Owner**~~Theresa Didato Cioffi - **Removed**~~~~Wilmington Trush Company - **Removed**~~

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

Continued from 30 Oct 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
6/27/19	Code Compliance Hearing	Continuance
8/28/19	Code Compliance Hearing	Continuance
10/30/19	Code Compliance Hearing	Continuance

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Case # 19-1105

Walgreen Company Store 7089

Richard Ashworth - President/Director

Joana Pierce - Store Manager

Kathleen Seus - National Program Manger

Prentice-Hall Corporation System, Inc. - Registered Agent

527 Duval Street

Sec. 114-108 Maintenance of all signs

Officer Paul Navarro

Certified Mail: 8-21-2019 - Kathleen Seus

Certified Mail: 8-21-2019 - Richard Ashworth

Certified Mail: 8-12-2019 - Joana Pierce

Certified Mail: 8-12-2019 - Prentice-Hall Corporation System, Inc.

Initial Hearing: 8-28-2019

Continued from 30 Oct 2019

Count 1: Failure to provide the proper maintenance to the historic sign as it was not functioning as its intended use.

Legislative History

8/28/19	Code Compliance Hearing	Continuance
10/30/19	Code Compliance Hearing	Continuance

Adjournment