



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Meeting Agenda Full Detail

### Code Compliance Hearing

Thursday, January 30, 2020

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 20 Nov 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
11/20/19	Code Compliance Hearing	Continuance

**2****Case # 19-675**

Code 74, LLC  
323 Petronia Street  
Sec. 66-102 Dates Due and delinquent; penalties  
Sec. 66-103 Transfer of license  
Officer Bonnita Badgett  
Certified Mail:  
Initial Hearing: 1-30-2020

**In compliance 8 January 2020; Request dismissal**

**Counts 1:** Failure to renew business license. **Count 2:** Failure to transfer business license.

**3****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

**In compliance 16 January 2020; Request dismissal**

**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.

**Legislative History**

11/20/19      Code Compliance Hearing      Continuance

**4**

**Case # 19-1680**

Pete F. Woldanski

316 Julia Street

Sec. 58-31 Container and receptacle requirements

Officer Bonnita Badgett

Certified Mail:

Initial Hearing: 1-30-2020

**New Case**

**Count 1:** Failure to remove bins from the city right of way by 8pm on day of pick up.

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**Case # 18-1784**

Lindholm Construction, Inc

Richard Lindholm - Registered Agent

Native Builders, Inc

Carl Denny - Registered Agent

Nicholas Obea LLC

Clint Gordon - Registered Agent

Cristian J Swanson

1610 Dennis Street

Sec. 14-262 Request for inspection - **All parties**Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **All parties**Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **All parties**

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

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

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

Certified Mail: 11-28-2019 - Lindhold Construction, Inc.

Certified Mail: 12-9-2019 - Native Builders, Inc.

Certified Mail: 11-27-2019 - Cristian J Swanson

Certified Mail: 12-28-19 - Carl Denny

Posted: 7-19-2019 - Nicholas Obea LLC

Initial Hearing: 6-27-2019

**Continuance granted to 20 February 2020****Counts 1-3 all parties.**

**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.

**Counts 4-6 Cristian J Swanson only.**

**Count 4:** Failure to obtain the appropriate license from the city of key west.

**Count 5:** Failure to obtain a certificate of competency.

**Count 6:** Failure to obtain a business license from the city of key west.

Legislative History

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

11/20/19 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

**In compliance 20 November 2019; Request dismissal**

**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

11/20/19 Code Compliance Hearing Continuance

7

**Case #17-1259**

Jonathan and Megan Pigeon  
2207 Flagler Avenue  
Sec. 108-991 Development not affected by article  
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 Rachel Kobylas  
Certified Mail: 1-24-2020  
Initial Hearing: 1-30-2020

**Continued to 28 May 2020**

**Count 1:** Failure to obtain all required steps in the BPAS process from the Planning Department. **Count 2:** Failure to obtain all necessary certificates of occupancy for all units.

**Count 3:** Failure to contact the Planning Department and obtain the necessary legal unit determination for each unit. **Count 4:** Failure to obtain a non transient business tax receipt for each unit.

8

**Case # 19-1236**

Jeremy Carr  
1407 Patricia Street  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Sec. 122-130 Prohibited uses  
Officer Rachel Kobylas  
Hand Served: 11-5-19  
Initial Hearing: 12-18-19

**In compliance 12 September 2019; Request dismissal**

**Count 1:** Failure to obtain a business tax receipt. **Count 2:** Operating a business out of a home location.

9

**Case # 19-1590**

Blake Feldman c/o The Green Room

501 Green Street

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

Sec. 14-40 Permits in historic districts

Officer Rachel Kobylas

Certified Mail: 12-12-19

Initial Hearing: 12-18-19

**Continuance granted to 30 Jan 2020****Count 1:** Failure to obtain all proper building permits. **Count 2:** Failure to obtain a HARC certificate of appropriateness.

10

**Case # 19-1637**

Boyer Arnon Gold Estate Jr - c/o Sherry Boyer

906 17th Terrace

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

Sec. 18-117 Acts declared unlawful

Officer Rachel Kobylas

Posted: 1-13-2020

Initial Hearing: 1-30-2020

**Continuance granted to 20 February 2020****Count 1:** Failure to obtain all proper building permits. **Count 2:** Failure to hire licensed contractors.

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**Case # 19-1660**

The Green Room

Jerry H. Feldman - Registered agent

501 Greene Street

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

Sec. 114-103 Prohibited Signs

Sec. 14-40 Permits in historic districts

Sec. 114-35 Banner Signs

Officer Rachel Kobylas

Certified Mail: 11-21-19

Initial Hearing: 12-18-19

**Continuance granted to 30 Jan 2020****Count 1:** Failure to obtain building permits for lighting, shades, banners and signage.**Count 2:** Failure to obtain a HARC certificate of appropriateness for signs on the doors and exterior of the building.**Count 3:** Failure to obtain a HARC certificate of appropriateness for lighting, shades, banners, and signage.**Count 4:** Failure to remove all banners from exterior of building.

12

**Case # 19-1676**

Sam Nekhaila

Markeywest Real Holdings, Inc

335 Duval Street 1

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

Officer Rachel Kobylas

Certified Mail: 11-22-19

Initial Hearing: 12-18-19

**In compliance 11 December 2019; Request dismissal****Count 1:** Unlawful for any person to cause or allow to be caused any oil, grease or other waste matter to flow, or otherwise be placed upon any city right-of-way, street, alley, swale, public square or sidewalk within the city. - **Irreparable**



13

**Case #19-1728**

John Allen Lloyd Gunn

713 Southard Street

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

Sec. 14-40 Permits in historic districts

Sec. 102-158 Stop work order and penalty

Officer Rachel Kobylas

Certified Mail:

Initial Hearing: 1-30-2020

**New Case****Count 1:** Failure to obtain building permits. **Count 2:** Failure to obtain all  
necessary certificates of appropriateness from HARC.**Count 3:** Failure to pay for building permits.

14

**Case # 19-1743**

Shane Twarog of MTM Building &amp; Roofing Contractors, LLC

211 Duval Street

Sec. 58-34 Unlawful disposal - **Settlement agreement**

Officer Rachel Kobylas

Hand Served: 1-13-2020

Initial Hearing: 1-30-2020

**New Case****Count 1:** Illegally dumping white liquid into the street. - **Irreparable**

15

**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

**In compliance 31 December 2019; Request dismissal**

**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
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
4/24/19	Code Compliance Hearing	Continuance
7/31/19	Code Compliance Hearing	Continuance
10/30/19	Code Compliance Hearing	Continuance

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**Case # 19-1592**

Rosemie Thomas  
1213 14th Street 54  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Troy Montero  
Certified Mail: 11-25-2019  
Initial Hearing: 1-30-2020

**New Case**

**Count 1:** Failure to obtain all proper building permits.

17

**Case # 19-1628**

Erik Deboer- Registered Agent  
600 Fleming Street  
Sec. 62-1 Deposits of oil, grease or other waste - **Settlement agreement**  
Officer Troy Montero  
Certified Mail:  
Initial Hearing: 1-30-2020

**New Case**

**Count 1:** Grease trap cap removed causing a large grease spill onto the city right of way. - **Irreparable**

18

**Case # 19-1731**

Robert H. Edmonds - Owner  
410 Virginia Street  
Sec. 62-2 Obstructions  
Officer Troy Montero  
Certified Mail: 12-17-19  
Initial Hearing: 1-30-20

**New Case**

**Count 1:** Failure to trim the Bougainvillea back from the city right of way.

19

**Case # 19-1750**

Anthony Pienczkowski - owner  
 408 Virginia Street  
 Sec. 58-35 Requirements for bulk and excess yard waste pickup  
 Officer Troy Montero  
 Posted: 1-7-20  
 Initial Hearing: 1-30-20

**New Case**

**Count 1:** Failure to contact Waste management to schedule yard debris pick up from city right of way.

20

**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
11/20/19	Code Compliance Hearing	Continuance

21

**Case # 19-1357**

Jack H Budakian  
1815 Seidenberg Avenue  
Sec. 108-677 Parking and storage of certain vehicles  
Officer Paul Navarro  
Certified Mail: 11-14-19  
Initial Hearing: 12-18-19

**In compliance 27 Nov 2019; Request dismissal**

**Count 1:** Failure to remove vehicles without license plates from the property.

22

**Case # 19-1645**

Beach on Duval LLC  
Jerry H Feldman - Registered Agent  
501 Greene Street  
Sec. 122-63 Review; enforcement  
Officer Paul Navarro  
Certified Mail: 11-20-19  
Initial Hearing: 12-18-19

**Continuance granted to 30 Jan 2020**

**Count 1:** Failure to remove all amplified music from the outdoor of the property and abbey  
to Resolution # 2016-32.

23

**Case #19-1788**

Joseph J Schroeder - Registered agent  
724 Duval Street  
Sec. 90-142 Historic architectural commission design guidelines adopted  
- **Repeat**  
Officer Paul Navarro  
Certified Mail: 12-26-2019  
Initial Hearing: 1-30-2020

**New Case**

**Count 1:** Failure to remove prohibited animated sign ( TV ) from the property. - **Repeat**

24

**Case #20-00036**

IVs in the Keys INC  
Danette Nelson - Registered agent  
531 Whitehead Street  
Sec. 90-142 Historic Architectural Commission Design Guidelines  
adopted  
Officer Paul Navarro  
Certified Mail:  
Initial Hearing: 1-30-2020

**New Case**

**Count 1:** Failure to remove prohibited LED strip lights from the property.

25

**Case # 19-672**

808 Southard Street LLC  
C/O Brawn Peter Nelson  
812 Southard Street  
Sec. 26-192 Unreasonably excessive noise prohibited  
Sec. 122-597 Permitted uses  
Sec. 122-598 Conditional Uses  
Officer Dorian Patton  
Certified Mail: 1-11-20  
Initial Hearing: 1-30-20

**Continuance granted to 20 February 2020**

**Count 1:** Failure to cease from allowing the company "Tree Man" from operating their equipment and performing their business.

**Count 2:** Failure to remove all vehicles, utility trailers. and boat/jet ski trailers from all residential lots on the property.

**Count 3:** Failure to stop the company "Tree Man" from performing light industrial activity on the property.

26

**Case # 19-927**

F&amp;L Corp

711 Love Lane

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

Sec. 14-40 Permits in historic districts

Officer Dorian Patton

Certified Mail: 12-10-19

Initial Hearing: 12-18-19

**Continuance granted to 30 Jan 2020****Count 1:** Failure to obtain building permits for an addition behind the house.**Count 2:** Failure to obtain a HARC certificate of appropriateness for the addition behind the house.

27

**Case # 19-956**

The Green Pineapple Key West, LLC

Jennifer Hulse - RA

1130 Duval Street

Sec. 106-51 Prohibited

Officer Dorian Patton

Certified Mail: 9-11-2019

Initial Hearing: 10-30-2019

**In compliance on 19 Dec 2019; Request dismissal****Count 1:** Failure to renew outdoor display application for exterior display including bistro table and chairs.**Legislative History**

10/30/19

Code Compliance Hearing

Continuance

28

**Case # 19-1035**

Kevin Zulch - Registered agent  
1215 Duval Street  
Sec. 14-40 Permits in historic districts  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Dorian Patton  
Certified Mail:  
Initial Hearing: 1-30-20

**New Case**

**Counts 1:** Failure to obtain a HARC certificate of appropriateness for all signs on the property. **Count 2:** Failure to obtain building permits for all signs on property.

29

**Case # 19-1062**

Panini Schimini LLC  
Dawn Vincent - Registered agent  
1075 Duval Street C-10  
Sec. 14-40 Permits in historic districts  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Dorian Patton  
Certified Mail: 12-16-19  
Initial Hearing: 1-30-20

**New Case**

**Count 1:** Failure to obtain a certificate of appropriateness for all signage on restaurants. **Count 2:** Failure to obtain building permits.



30

**Case # 19-1109**

5 Dollar Stores Inc

Juan C Betancur - Registered agent

109 Duval Street

Sec. 14-40 Permits in historic districts

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

Officer Dorian Patton

Certified Mail: 11-25-19

Initial Hearing: 12-18-19

**Continuance granted to 30 Jan 2020****Count 1:** Failure to obtain a HARC certificate of appropriateness for window and exterior lighting.**Count 2:** Failure to obtain building permits for the exterior lighting.

31

**Case # 19-1161**

Marlene Cruz Morato - Registered agent

1016 Howe Street Common

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

Sec. 14-40 Permits in historic districts

Sec. 14-327 Inspection

Sec. 26-192 Unreasonably excessive noise prohibited

Officer Dorian Patton

Certified Mail: 12-13-19

Initial Hearing: 1-30-20

**New Case****Count 1:** Failure to obtain building permits. **Count 2:** Failure to obtain a certificate of appropriateness for the fence.**Count 3:** Failure to call the building department for final inspection. **Count 4:** Failure to check pool pump for proper operation and installation.

32

**Case # 19-1178**

Mile Zero Cafe  
Gleudson Gevargas  
119 Fitzpatrick Street  
Sec. 114-103 Prohibited signs  
Sec. 14-40 Permits in historic districts  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Dorian Patton  
Certified Mail:  
Initial Hearing: 12-18-19

**Continued to 30 Jan 2020 for good service**

**Count 1:** Failure to remove portable sign, unpermitted signs on building and unpermitted seating.

**Count 2:** Failure to obtain a HARC certificate of appropriateness for all signage.

**Count 3:** Failure to obtain building permits for all signs attached to the building.

33

**Case # 19-1458**

Island life of Key West Inc  
Ronen Teshouva - Registered agent  
1120 Duval Street  
Sec. 106-51 Prohibited  
Sec. 14-40 Permits in historic districts  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Dorian Patton  
Certified Mail:  
Initial Hearing: 1-30-20

**In compliance 21 January 2020; Request dismissal**

**Count 1:** Failure to obtain and outdoor display permit from the planning department. **Count 2:** Failure to obtain a certificate of appropriateness for any signage on the building.

**Count 3:** Failure to obtain the appropriate building permits for a hanging sign.

**34****Case # 19-1493**

Medmen  
John Lockwood - Registered Agent  
130 Duval Street  
Sec. 14-40 Permits in historic districts  
Officer Dorian Patton  
Certified Mail: 11-8-19  
Initial Hearing: 12-18-19

**In compliance 2 Dec 2019; Request dismissal**

**Count 1:** Failure to obtain a HARC certificate of appropriateness for the frosted windows.

**35****Case # 19-1630**

Vino's On Duval  
Valerie Chelley - Registered Agent  
810 Duval Street  
Sec. 114-103 Prohibited signs  
Officer Dorian Patton  
Certified Mail: 11-18-19  
Initial Hearing: 12-18-19

**Continued from 18 Dec 2019**

**Count 1:** Failure to remove unpermitted sign that was reinstalled on the outside railing.

36

**Case # 18-241**Lawney 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

**Continuance granted to 26 March 2020**

**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
11/20/19	Code Compliance Hearing	Continuance

**Adjournment**