



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Thursday, August 27, 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 # 20-866

Carleen A. Oropeza Revocable Trust
1711 Josephine Street
Sec. 58-31 Container and receptacle requirements
Officer Bonnita Badgett
Certified Mail: 8-5-2020
Initial Hearing: 8-27-2020

In compliance 20 August 2020; request dismissal

Count 1: Failure to bring in garbage and recycle bins from the city right of way.

2

Case # 20-506

Mark A Hunt

1020 Eaton Street

Sec. 18-601 License required

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations

Officer Sophia Doctoche

Certified Mail: 6-15-2020

Initial Hearing: 7-30-2020

Continuance previously granted to 17 December 2020**Counts 1-8:** Unlawful to lease a residential property for a period of less than 30 days or one calendar month without having obtained a business tax receipt. - **Repeat****Counts 9-11:** Failure to obtain the required city, county or state license for holding out/advertising a short-term rental at this property. - **Repeat****Counts 12-19:** Unlawfully holding out this short-term rental for eight nights.
- **Repeat**Legislative History

7/30/20

Code Compliance Hearing

Continuance

3**Case # 20-1032**

Rakhmatov Timur

3406 Flagler Avenue

Sec. 18-601 License required

Sec. 122-1371 Transient living accommodations in residential dwellings;
regulationsSec. 122-1371 Transient living accommodations in residential dwellings;
regulations

Officer Sophia Doctoche

Certified Mail:

Initial Hearing: 8-27-2020

New Case**Counts 1-7:** Failure to obtain a transient medallion and license to
advertise and rent short-term.**Counts 8-10:** Failure to obtain all required city, county and state licensing
to advertise and rent short-term.**Counts 11-17:** Property owner holding out for transient rental for 7 nights
the dates of August 22nd - August 29th 2020 for a total of \$2,901.00
without obtaining
the proper city, county and state licensing.

4

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
 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. 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: 11-27-2019 - Cristian J Swanson
 Certified Mail: 12-28-19 - Native Builders, Inc
 Posted: 7-19-2019 - Nicholas Obea LLC
 Initial Hearing: 6-27-2019

Settlement Agreement**Lindholm Construction Inc dismissed on all counts****Counts 1-3 - Cristian J Swanson only**

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.

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

Count 5: Failure to obtain a certificate of competency. - **Cristian J Swanson only**

Count 6: Failure to obtain a business license from the city of key west. - **Cristian J Swanson only**

Legislative History

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

11/20/19	Code Compliance Hearing	Continuance
1/30/20	Code Compliance Hearing	Continuance
2/20/20	Code Compliance Hearing	Continuance
7/30/20	Code Compliance Hearing	Continuance

5**Case # 19-1715**

Futerman Phenphak - Owner
3011 Riviera Drive
Sec.14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Edward Keane
Posted: 7-31-2020
Initial Hearing: 3-26-2020

New Case

Count 1: Failure to obtain all proper building permits.

Legislative History

7/30/20	Code Compliance Hearing	Continuance
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6**Case # 20-1120**

Kenneth Michels
1312 4th Street
Sec. 66-102 Dates due and delinquent; penalties
Officer Rachel Kobylas
Certified Mail:
Initial Hearing: 8-27-2020

New Case

Count 1: Failure to pay all past due fines and fees to the Licensing Department.

7

Case # 20-1122

David Perlman
829 Baptist Lane
Sec. 66-102 Dates due and delinquent; penalties
Officer Rachel Kobylas
Certified Mail:
Initial Hearing: 8-27-2020

In compliance 19 August 2020; request finding and order no fees or fines

Count 1: Failure to pay all past due fees and fines to the Licensing Department.

8

Case # 19-1081

Lazy Days of Key West, LLC
Nira Sela - Registered agent
715 Duval St. 1
Sec. 14-40 Permits in historic districts
Sec. 114-103 Prohibited signs
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions
Officer Troy Montero
Hand Served: 1-9-2020
Initial Hearing: 3-26-2020

Continued to 27 August 2020 for compliance

Count 1: Failure to obtain HARC certificate for awning (front).

Count 2: Failure to remove prohibited signs (front).

Count 3: Failure to obtain building permit.

Legislative History

7/30/20

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

Continued to 27 August 2020 for compliance**Count 1:** Failure to obtain all proper building permits.Legislative History

1/30/20	Code Compliance Hearing	Continuance
2/20/20	Code Compliance Hearing	Continuance
7/30/20	Code Compliance Hearing	Continuance

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Case # 20-313

SH5 LTD
Robert A. Spottswood - registered agent
3841 N Roosevelt Blvd
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Troy Montero
Certified Mail: 6-15-2020
Initial Hearing: 7-30-2020

Continuance granted to 27 August 2020**Count 1:** Failure to apply for fence permits.Legislative History

7/30/20	Code Compliance Hearing	Continuance
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Case # 20-1090

Patagonia Ventures LLC
Robert E. Clark LLC
903 Duval Street
Sec. 26-192 Unreasonably excessive noise prohibited
Officer Troy Montero
Certified Mail: 8-10-2020
Initial Hearing: 8-27-2020

New Case

Count 1: Failure to cease all excessive noise emanating from the subject address.

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Case # 19-1159

Evelyne Cajuste
1300 15th court lot 45
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Paul Navarro
Certified Mail: 8-1-2020
Initial Hearing: 8-27-2020

In compliance 6 August 2020; Request dismissal

Count 1: Failure to obtain all permits for the structure built in the rear side of the mobile home.

13

Case # 20-652

Paul Gallagher
1717 Duncan Street
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Paul Navarro
Certified mail: 8-14-2020
Initial hearing: 8-27-2020

New Case

Count 1: Failure to apply and obtain a non-transient license.

14

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: 1-30-2020

Continuance granted to 27 August 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.

Legislative History

1/30/20	Code Compliance Hearing	Continuance
2/20/20	Code Compliance Hearing	Continuance
7/30/20	Code Compliance Hearing	Continuance

Mitigations

15

Case # 18-2089

Duval and Caroline, LLC
 Joseph Walsh
 429 Caroline Street
~~Sec. 66-109 Schedule of taxes - Dismissed~~
 Sec. 14-40 Permits in historic districts
 Officer Sophia Doctoche
 Posted: 4-30-2019
 Initial Hearing: 4-24-2019

Mitigation

~~Count 1: Failure to obtain seating authorization for the seats located at the subject property. - Dismissed.~~ **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
6/27/19	Code Compliance Hearing	Continuance
8/28/19	Code Compliance Hearing	Violation Fine

Adjournment