



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

Code Compliance Hearing

Thursday, December 17, 2020

10:00 AM

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 - Facial Coverings 10:00am

1 **Case # 20-1458**
Fogarty's
Joseph Walsh
227 Duval Street
Sec. 20-17 Requirement of wearing facial covering
Officer Jorge Lopez
Hand Served: 11-17-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-17.

2 **Case # 20-1358**
Waterfront Brewery
Joseph H. Walsh
201 William Street
Sec. 20-17 Requirement of wearing facial covering
Officer Troy Montero
Hand Served: 11-16-2020
Initial Hearing: 12-3-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-17.

Legislative History

12/3/20 Code Compliance Hearing Continuance

3**Case # 20-1385**

Jack Flats
Ricardo Carlos Flores - Shift manager
509 1/2 Duval Street
Sec. 20-18 Requirement of wearing facial covering
Officer Paul Navarro
Hand Served: 11-21-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-18.

4**Case # 20-1368**

Jack Flats
Melissa Gilbert - Manager
509 Duval Street
Sec. 20-17 Requirement of facial covering
Officer Laurie Skinner
Hand Served: 11-22-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-17.

5**Case # 20-1374**

Fogarty's
Michael Taylor - Manager
227 Duval Street
Sec. 20-17 Requirement of wearing facial covering
Officer Laurie Skinner
Hand Served: 11-22-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-17.

6**Case # 20-1376**

Caroline Cafe
Nesia Rose Pearson - Manager

310 Duval Street
 Sec. 20-17 Requirement of wearing facial covering
 Officer Laurie Skinner
 Hand Served: 11-22-2020
 Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-17.

Code Violations - 1:30am

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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
8/27/20	Code Compliance Hearing	Continuance

8

Case # 20-1032

Rakhmatov Timur
 3406 Flagler Avenue
 Sec. 18-601 License required
 Sec. 122-1371 Transient living accommodations in residential dwellings;
 regulations
 Sec. 122-1371 Transient living accommodations in residential dwellings;
 regulations
 Officer Sophia Doctoche
 Posted: 11-3-2020

Initial Hearing: 8-27-2020

Settlement Agreement

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.

Legislative History

8/27/20 Code Compliance Hearing Continuance

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Case # 20-1110

Just Beds of Key West Inc
Northwest Registered Agent LLC
2726 N Roosevelt Blvd
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Sophia Doctoche
Certified Mail: 11-6-2020
Initial Hearing: 12-17-2020

In compliance as of 30 November 2020; request dismissal

Count 1: Failure to pay the delinquent fire inspection fee.

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Case # 20-1384

Mangoes Restaurant
Daniel Todd Hamer
700 Duval Street
Sec. 20-18 Requirement of wearing facial covering
Officer Sophia Doctoche
Hand Served: 11-21-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear facial covering according to City Ordinance 20-18.

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Case # 20-1387

Sunset Watersports

George Williams - Operator
 431 Front Street
 Sec. 20-18 Requirement of Facial Coverings
 Officer Sophia Doctoche
 Hand Served: 11-22-2020
 Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear facial coverings according to City Ordinance 20-18.

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Case # 19-1715

Futerman Phenphak - Owner
 3011 Riviera Drive
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions
~~Sec. 14-256 Permit required~~
~~Sec. 14-359 Permit display~~
~~Sec. 66-87 Business tax receipt required for all holding themselves out to
 be engaged in business~~
 Officer Edward Keane
 Posted: 7-31-2020
 Initial Hearing: 3-26-2020

Continued from 22 October 2020

Count 1: Failure to obtain all proper building permits.

~~Count 2: Failure to obtain all electrical permits and or convert the structure
 back to storage.~~

~~Count 3: Failure to obtain all plumbing permits or convert the structure back
 to storage.~~

~~Count 4: Failure to cease renting the storage enclosure and apply for a
 LUD from the City Planning Department.~~

Legislative History

7/30/20	Code Compliance Hearing	Continuance
8/27/20	Code Compliance Hearing	Continuance
10/22/20	Code Compliance Hearing	Continuance
11/19/20	Code Compliance Hearing	Continuance

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Case # 20-622

Jean Azard
 1300 15th Ct lot 12
 Sec. 14-37 Building permits; professional plans; display of permits;
 address; exceptions

Officer Edward Keane
Posted: 11-24-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to apply for and obtain the appropriate building permits.

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Case # 20-790

Lisa Rivard
727 Emma Street
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. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-40 Permits in historic districts
Officer Edward Keane
Certified Mail: 11-6-2020
Initial Hearing: 11-19-2020

New Case

Count 1: Failure to apply and obtain the appropriate electrical permits.

Count 2: Failure to apply and obtain the appropriate plumbing permits.

Count 3: Failure to apply and obtain the appropriate building permits.

Count 4: Failure to apply and obtain a HARC Certificate of
Appropriateness.

Legislative History

11/19/20 Code Compliance Hearing Continuance

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Case # 20-1267

Gary Stern - Registered Agent
820 White Street
~~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
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-327 Inspection
Officer Edward Keane
Certified Mail: 12-3-2020

Initial Hearing: 12-17-2020

New Case

~~**Count 1:** Failure to apply and obtain the appropriate plumbing permits through a licensed contractor.~~

Count 2: Failure to apply and obtain the appropriate electrical permits through a licensed contractor.

Count 3: Failure to contact and schedule all required inspections with the city of key west building department.

Count 4: Failure to apply and obtain the appropriate mechanical HVAC permits through a licensed contractor.

Count 5: Failure to contact and schedule all required inspections with the city of key west building department.

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Case # 20-1276

Robert Mathews

28141 Gato Rd

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

Officer Edward Keane

Certified Mail: 11-23-2020

Initial Hearing: 12-17-2020

In compliance as of 24 November 2020; request dismissal

Count 1: Failure to pay fines and fees to the Licensing Department at the City of Key West.

17

Case # 20-1121

Genevieve Degroot - Registered Agent

C/O DGK Key West LLC

1420 Von Phister Street

Sec. 66-102 Dates due and delinquents; penalties

Officer Rachel Kobylas

Certified Mail: 10-14-2020

Initial Hearing: 11-19-2020

In compliance as of 7 December 2020; request dismissal

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

Legislative History

11/19/20 Code Compliance Hearing Continuance

18

Case # 19-1568

TU-TI-FRU-TI, Inc.

Charles Mendola - Registered agent

828 Duval 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~~

~~Sec. 66-109 Schedule of taxes~~

~~Sec. 2-939 Revocable Licenses~~

Officer Troy Montero

Certified Mail: 3-2-2020

Initial Hearing: 3-26-2020

Continued to 17 December 2020

Count 1: Failure to obtain HARC approval for signage.

Count 2: Failure to obtain HARC certificate of appropriateness for installation of cameras and outside bar.

~~Count 3: Failure to obtain building permits.~~

~~Count 4: Failure to obtain approval for additional seating.~~

~~Count 5: Failure to obtain revocable license for awning over city right of way.~~

Legislative History

7/30/20 Code Compliance Hearing Continuance

10/22/20 Code Compliance Hearing Continuance

11/19/20 Code Compliance Hearing Continuance

19

Case # 20-887

Rooster Rental LLC

Szentgyorgyi Istvan - registered agent

5031 5th Ave

Sec. 66-102 Dates due and delinquent; penalties

Officer Troy Montero

Certified mail: 11-2-2020

Initial Hearing: 11-19-2020

Continued to 17 December 2020 for compliance

Count 1: Failure to contact the Licensing Department to renew or close this license.

Legislative History

11/19/20 Code Compliance Hearing Violation Fine

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Case # 19-1691

Alena Lembach
3226 Eagle Ave
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 122-63 Review; enforcement
Officer Paul Navarro
Certified Mail: 11-17-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to apply and obtain a demolition permit or reapply for a new building permit.

Count 2: Failure to apply and obtain a demolition permit or reapply for a new variance.

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Case # 20-241

Saintelien Louis
1300 15th Ct Lot 31
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Sec. 14-262 Request for inspection
Sec. FBC P2503.1 Inspections
Sec. 14-37 Building permits; professional plans; display of permits;
address; exceptions
Officer Paul Navarro
Certified Mail: 11-24-2020
Initial Hearing: 12-17-2020

Continuance previously granted to 28 January 2021

Count 1: Failure to apply and obtain all permits for the un permitted work or apply and obtain for a demolition permit.

Count 2: Failure to schedule all required inspections.

Count 3: Failure to schedule all required inspections.

Count 4: Failure to apply and obtain all permits for un permitted work.

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Case # 20-1386

Hanks Saloon
Paul Fernando C Lopez - General Manager
409 Caroline Street
Sec. 20-18 Requirement of wearing facial covering
Officer Paul Navarro

Hand Served: 11-21-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-18.

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Case # 20-1388

Schooner Wharf Bar
Eric Maurice Smith
202 William Street
Sec. 20-18 Requirement of wearing facial covering
Officer Paul Navarro
Hand Served: 11-22-2020
Initial Hearing: 12-17-2020

Continuance previously granted to 28 January 2021

Count 1: Failure to wear facial covering according to Ordinance 20-18.

24

Case # 20-1389

Key West Fish and Chips
Juarez Mendez Keila Jasibe - Manager
633 Duval Street
Sec. 20-18 Requirement of wearing facial covering
Officer Paul Navarro
Hand Served: 11-22-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-18.

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Case # 20-1390

Sebago Watersports Booth
Rachel Diane Haas - Operator of business
629 Duval Street #2
Sec. 20-18 Requirement of wearing facial covering
Officer Paul Navarro
Hand Served: 11-22-2020
Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-18.

26

Case # 20-1401

Island Mystique LLC

Kasey Austin Nunn - employee

608 Duval 1/2

Sec. 20-18 Requirement of wearing facial covering

Officer Paul Navarro

Hand Served: 11-29-2020

Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-18.

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Case # 20-1408

Conch Jewelers

Kathryn Engle Knecht - employee

120 Duval Street

Sec. 20-18 Requirement of wearing a facial covering

Officer Paul Navarro

Hand Served: 12-1-2020

Initial Hearing: 12-17-2020

New Case

Count 1: Failure to wear a facial covering according to Ordinance 20-18.

Adjournment