



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Meeting Agenda Full Detail

### Code Compliance Hearing

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Thursday, March 25, 2021

1:30 PM

City Hall

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**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 # 21-252**

Waterfront Brewery  
Brian Patrick O'Donnell  
201 William Street  
Sec. 21-01 Requirement of wearing facial covering  
Officer Sophia Doctoche  
Hand Served: 2-18-2021  
Initial Hearing: 3-25-2021

**New Case**

**Count 1:** Failure to wear facial covering in accordance to Ordinance 21-01. - **Repeat**

**2**

**Case # 21-255**

Fogarty's  
JJ Myhre - Manager  
227 Duval Street 2nd floor  
Sec. 21-01 Requirement of wearing facial covering  
Officer Sophia Doctoche  
Hand Served: 2-18-2021  
Initial Hearing: 3-25-2021

**New Case**

**Count 1:** Failure to wear facial covering in accordance to Ordinance 21-01. - **Repeat**

**3**

**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

**In compliance as of 11 March 2021; request dismissal**

~~**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.

**Legislative History**

12/17/20	Code Compliance Hearing	Continuance
1/28/21	Code Compliance Hearing	Continuance
2/18/21	Code Compliance Hearing	Continuance

**4**

**Case # 21-181**

GAP

526-528 Duval Retail LLC

526 Duval Street

Sec. 30-1 Fees or false alarms and fire code inspections

Officer Edward Keane  
 Certified Mail:  
 Initial Hearing: 3-25-2021

### **New Case**

**Count 1:** Failure to contact the City of Key West Revenue Department to submit payment for delinquent fees.

**5**

### **Case # 19-846**

Bimini Village Condominium  
 James Marsh - Registered agent  
 806 Thomas 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: 1-19-2021  
 Initial Hearing: 1-28-2021

### **Continued from 18 February 2021**

**Count 1:** Failure to apply and obtain a demolition permit to remove all unpermitted construction, roof and awning structures and return the building to its original state.

**Count 2:** Failure to apply for a certificate of appropriateness from HARC, for the fence.

### Legislative History

1/28/21	Code Compliance Hearing	Continuance
2/18/21	Code Compliance Hearing	Continuance

**6**

### **Case # 18-1639**

Jessica Clark  
 1824 Fogarty Ave 1  
 Sec. 90-363 Certificate of occupancy required  
 Sec. 58-61 Determination and levy of charge  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exceptions  
 Sec. 14-72 Minimum facilities  
 Officer Troy Montero  
 Certified Mail: 1-27-2021  
 Initial Hearing: 2-18-2021

**Continuance previously granted to 25 March 2021**

**Count 1:** Failure to apply and obtain a certificate of occupancy for the unit located in the rear side of the property.

**Count 2:** Failure to contact the Planning Department to apply and obtain cost of impact fees.

**Count 3:** Failure to provide an as-built certificate to the Building Department.

**Count 4:** Failure to remove the tarp and bed from this area.

**Legislative History**

2/18/21 Code Compliance Hearing Continuance

7

**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 from 18 February 2021**

**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

12/17/20 Code Compliance Hearing Continuance

1/28/21 Code Compliance Hearing Continuance

2/18/21 Code Compliance Hearing Continuance

8

**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

**Continued from 18 February 2021**

**Count 1:** Failure to apply for fence permits.

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
1/28/21	Code Compliance Hearing	Continuance
2/18/21	Code Compliance Hearing	Continuance

9

**Case # 20-1029**

Rene Leslie Bird  
311 Amelia Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
~~Sec. 66-87 Business tax receipt required for all holding themselves out to  
be engaged in business~~  
Sec. 58-61 Determination and levy of charge  
Sec. 90-363 Certificate of occupancy required  
Officer Troy Montero  
Certified mail: 1-16-2021  
Initial Hearing: 2-18-2021

**Continuance previously granted to 25 March 2021**

**Count 1:** Failure to apply and obtain the appropriate after the fact permits  
through the Building Department.

~~Count 2: Failure to apply and obtain a non-transient business tax receipt  
through the Licensing Department.~~

**Count 3:** Failure to apply and obtain a legal unit determination for the  
additional residential units.

**Count 4:** Failure to apply and obtain a certificate of occupancy for the  
residential unit in the rear of the property.

Legislative History

2/18/21	Code Compliance Hearing	Continuance
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10

**Case # 20-1335**

John Lindle

1617 White Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Troy Montero  
Certified Mail: 2-2-2021  
Initial Hearing: 2-18-2021

**Continued from 18 February 2021**

**Count 1:** Failure to apply and obtain after the fact permits for building, electrical and plumbing.

Legislative History

2/18/21 Code Compliance Hearing Continuance

11

**Case # 21-167**

Loukas Inc  
Albert L Kelley - Registered agent  
706 Duval Street  
Sec. 30-1 Fees or false alarms and fire code inspections  
Officer Troy Montero  
Certified Mail:  
Initial Hearing: 3-25-2021

**In compliance as of 22 February 2021; request dismissal**

**Count 1:** Failure to contact the City of Key West Revenue Department to pay delinquent fire inspection fees.

12

**Case #21-174**

The Sole Man Inc  
John M BRandolino - Registered agent  
610 Duval Street  
Sec. 30-1 Fees or false alarms and fire code inspections  
Officer Troy Montero  
Certified Mail:  
Initial Hearing: 3-25-2021

**New Case**

**Count 1:** Failure to pay all past due fees and fines.

13

**Case # 21-182**

ICONI KEY WEST LLC

Christian M. Zuelch - Registered agent  
533 Duval Street  
Sec. 30-1: Fees for false alarms and fire code inspections  
Officer Troy Montero  
Certified Mail:  
Initial Hearing: 3-25-2021

**New Case**

**Count 1:** Failure to pay all past due fees and fines.

**14****Case # 21-75**

Jack Flats  
Gilbert Melissa  
509 1/2 Duval Street  
Sec. 21-01 Requirement of wearing facial covering  
Officer Paul Navarro  
Hand Served: 2-8-2021  
Initial Hearing: 2-18-2021

**Continuance previously granted to 25 March 2021**

**Count 1:** Failure to wear facial covering according to Ordinance 21-01. -  
**Repeat**

**Legislative History**

2/18/21          Code Compliance Hearing          Continuance

**15****Case # 21-76**

Fogarty's  
Logan Katherine Marie  
227 Duval Street  
Sec. 21-01 Requirement of wearing facial covering  
Officer Paul Navarro  
Hand Served: 2-8-2021  
Initial Hearing: 2-18-2021

**Continuance previously granted to 25 March 2021**

**Count 1:** Failure to wear facial covering according to Ordinance 21-01. -  
**Repeat**

**Legislative History**

2/18/21          Code Compliance Hearing          Continuance

16

**Case # 21-263**

Fogarty's  
Natasha Carpenter  
227 Duval Street  
Sec. 21-01 Requirement of wearing facial covering  
Officer Paul Navarro  
Hand Served: 2-20-2021  
Initial Hearing: 3-25-2021

**New Case**

**Count 1:** Failure to wear facial covering in accordance to Ordinance 21-01. - **Repeat**

17

**Case # 20-1493**

Lewis Richard T  
Susan Derose  
1102 Washington Street  
Sec. 62-2 Obstructions  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Roy Owens  
Certified Mail: 1-7-2021  
Initial Hearing: 2-18-2021

**Continued from 18 February 2021**

**Count 1:** Failure to contact the Engineering Department to obtain the proper permits for installation of plants, trees and shrubs on public easements.

**Count 2:** Failure to obtain permits to install plants, trees and shrubs on a public easement.

**Legislative History**

2/18/21            Code Compliance Hearing            Continuance

18

**Case # 21-112**

Gardens by Miguel  
Miguel Almaguer  
1300 15th Ct Lot 7  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Roy Owens  
Certified Mail:  
Initial Hearing: 3-25-2021

**New Case**



**Count 1:** Failure to pay all fees and delinquencies to the City of Key West Licensing Department.

**19**

**Case # 21-304**

Express Mobile Oil Service LLC  
Luis Garcia Orellana  
3333 Duck Ave #L 102  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Roy Owens  
Certified Mail:  
Initial Hearing: 3-25-2021

**New Case**

**Count 1:** Failure to pay all fees and delinquencies to the City of Key West Licensing Department.

**20**

**Case # 21-355**

Morell Insurance Agency LLC  
Caren Morell  
3424 Duck Ave  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Roy Owens  
Certified Mail: 3-9-2021  
Initial Hearing: 3-25-2021

**New Case**

**Count 1:** Failure to pay all fees and delinquencies to the City of Key West Licensing Department.

**21**

**Case # 21-63**

Front Street Investments LLC  
C/O Joseph Cohen  
304 Front Street  
Sec. 58-34 Unlawful disposal  
Officer Laurie Skinner  
Certified Mail:  
Initial Hearing: 2-18-2021

**Continued to 25 March 2021 for good service**

**Count 1:** Failure to put trash and cardboard on the city right of way for Waste Management.

Legislative History

2/18/21 Code Compliance Hearing Continuance

22

**Case # 21-358**

Nature Treasures Key West

Ira Weisinger

326 Duval Street

Sec. 21-07 Requirement of wearing facial covering

Officer Laurie Skinner

Certified Mail: 3-7-2021

Initial Hearing: 3-25-2021

**New Case**

**Count 1:** Failure to wear a facial covering in accordance to Ordinance 21-07.

23

**Case # 21-39**

Hughlene & Donna Winn

313 Virginia Street

Sec. 26-126 Clearing of property of debris and noxious material required

Sec. 108-677 Parking and storage of certain vehicles

Officer Jim Young

Certified Mail:

Initial Hearing: 3-25-2021

**In compliance as of 3 March 2021; request dismissal**

**Count 1:** Failure to remove all yard waste and garbage from the property and to contact Waste Management to arrange for appropriate pick ups.

**Count 2:** Failure to remove and/or appropriately dispose of derelict vehicle(s) on the property, or attach current license plates to vehicle(s).

24

**Case # 21-344**

Mo's Restaurant

C/O Jean L Delice - Owner

1116 White Street

Sec. 66-102 Dates due and delinquent; penalties

Officer Jim Young

Certified Mail: 3-8-2021

Initial Hearing: 3-25-2021

**New Case**

**Count 1:** Failure to renew business tax receipt with the City of Key West Licensing Department.

**Adjournment**