



# 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, May 27, 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 # 19-672**  
808 Southard Street LLC  
C/O Brawn Peter Nelson  
The Tree Man  
Sean Creedon - Registered Agent  
808 & 812 Southard Street  
Sec. 26-192 Unreasonably excessive noise prohibited - 808 Southard Street LLC  
Sec. 26-192 Unreasonably excessive noise prohibited - The Tree Man  
Sec. 122-597 Permitted uses - 808 Southard Street LLC  
Sec. 122-597 Permitted uses - The Tree Man  
Sec. 122-598 Conditional Uses - 808 Southard Street LLC  
Sec. 122-598 Conditional Uses - The Tree Man  
Sec. 122-837 Use permitted - 808 Southard Street LLC  
Sec. 122-837 Use permitted - The Tree Man  
Sec. 108-677 Parking and storage of certain vehicles - 808 Southard Street LLC - **ONLY**  
Officer Dorian Patton  
Certified Mail: 1-11-20  
Initial Hearing: 1-30-2020

**Continued to 29 April 2021 for final ruling**

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

**Count 2:** Failure to remove all commercial vehicles, utility trailers. and

boat/jet ski trailers from all residential lots on the property. - **both parties**

**Count 3:** Failure to refrain from using residential lots for commercial use or for the storage of vehicles, utility trailers, and boat/jetski trailers. - **both parties**

**Count 4:** Failure to stop the company "Tree Man" from performing light industrial activity on the property. - **both parties**

**Count 5:** Failure to relocate all vehicles that have a missing or expired license plate to an enclosed building. - **808 Southard Street LLC ONLY**

Legislative History

1/30/20	Code Compliance Hearing	Continuance
2/20/20	Code Compliance Hearing	Continuance
7/30/20	Code Compliance Hearing	Continuance
8/27/20	Code Compliance Hearing	Continuance
10/9/20	Code Compliance Hearing	Continuance
1/28/21	Code Compliance Hearing	Violation Fine
4/29/21	Code Compliance Hearing	Continuance

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**Case # 19-1715**

Futterman 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 18 February 2021**

**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
12/17/20	Code Compliance Hearing	Continuance
1/28/21	Code Compliance Hearing	Continuance
2/18/21	Code Compliance Hearing	Continuance
4/29/21	Code Compliance Hearing	Continuance

**3****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 25 March 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
3/25/21	Code Compliance Hearing	Continuance
4/29/21	Code Compliance Hearing	Continuance

**4****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 27 May 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
3/25/21	Code Compliance Hearing	Violation Fine
4/29/21	Code Compliance Hearing	Continuance

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**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

**Continuance previously granted to 27 May 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
3/25/21	Code Compliance Hearing	Continuance
4/29/21	Code Compliance Hearing	Continuance

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**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  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exceptions  
 Sec. 14-40 Permits in historic districts  
 Sec. 62-2 Obstructions  
 Officer Roy Owens  
 Hand Served: 3-25-2021  
 Initial Hearing: 2-18-2021

**Continued from 25 March 2021 for amended notice of hearing**

**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.

**Count 3:** Failure to contact the City of Key West Engineering Department to obtain the proper permits for installing plants, trees, scrubs on public easement.

**Count 4:** Failure to contact the City of Key West Engineering Department to obtain the proper permits for installing plants, trees, scrubs on public easement.

**Count 5:** Failure to contact the City of Key West Engineering Department to obtain the proper permits for installing plants, trees, scrubs on public easement.

**Legislative History**

2/18/21	Code Compliance Hearing	Continuance
3/25/21	Code Compliance Hearing	Continuance
4/29/21	Code Compliance Hearing	Continuance

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**Case # 21-314**

Jude M Brogli  
 2824 Seidenberg Ave  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exceptions  
 Officer Roy Owens  
 Certified Mail: 3-14-2021  
 Initial Hearing: 4-29-2021

**Settlement Agreement**

**Count 1:** Failure to apply and obtain all after the fact permits for the removal of the awning and installation of the concrete deck.

Legislative History

4/29/21 Code Compliance Hearing Continuance

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**Case # 18-241**

Lawney Management Company - **New Owner**

~~Theresa Didato Cioffi - Removed~~

~~Wilmington Trust 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 previously granted to 24 June 2021**

**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
11/20/19	Code Compliance Hearing	Continuance

1/30/20	Code Compliance Hearing	Continuance
7/30/20	Code Compliance Hearing	Continuance
10/22/20	Code Compliance Hearing	Continuance
11/19/20	Code Compliance Hearing	Continuance

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**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 Jim Young

Certified Mail: 1-19-2021

Initial Hearing: 1-28-2021

**Continued to 27 May 2021 for compliance**

**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
3/25/21	Code Compliance Hearing	Continuance
4/29/21	Code Compliance Hearing	Continuance

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**Case # 20-676**

Futterman Phenphak

1704 Jamaica Drive

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

Sec. 14-262 Request for inspection

Officer Jim Young

Certified Mail: 4-10-2021

Initial Hearing: 4-29-2021

**New Case**

**Count 1:** Failure to apply and obtain the after the fact permits for all unpermitted work.

**Count 2:** Failure to schedule an inspection for all work that has been completed.

Legislative History

4/29/21 Code Compliance Hearing Continuance

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**Case # 21-457**

Cleghorn Homes LLC  
C/O Lawrence U. Taube, R.A  
801 Waddell Avenue  
Sec. 66-102 Dates due and delinquent; Penalties  
Officer Jim Young  
Certified Mail:  
Initial Hearing: 5-27-2021

**In compliance as of 27 April 2021; request dismissal****Count 1:** Failure to renew business tax receipt with the City of Key West Licensing Department.

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**Case # 21-474**

Thomas Merrill Drew  
& Timothy Thirkield  
506 Grinnell Street  
Sec. 66-102 Dates due and delinquent; penalties.  
Officer Jim Young  
Certified Mail: 4-19-2021  
Initial Hearing: 5-27-2021

**In compliance as of 19 April 2021; request dismissal****Count 1:** Failure to renew business tax receipt with the City of Key West Licensing Department.**Proposed Add On**

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**Case # 19-1445**

Adrienne Bond  
1207 19th Ter  
Sec. 58-61 Determination and levy of charge  
Sec. 90-363 Certificate of occupancy required  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 66-87 Business tax required for all holding themselves out to be  
engaged in business  
Officer Troy Montero



Certified Mail:  
Initial Hearing: 5-27-2021

**New Case**

**Count 1:** Failure to contact the Revenue Department to pay all delinquent utility fees.

**Count 2:** Failure to contact the Building Department to apply and obtain a Certificate of Occupancy for the additional residential unit.

**Count 3:** Failure to contact the Building Department to apply and obtain the after the fact permits.

**Count 4:** Failure to contact the Licensing Department to apply and obtain a business tax receipt for a non transient rental license.

**Adjournment**