



# 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, October 21, 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.**

You may also attend these meetings virtually via Zoom by telephoning +1 646-558-8656, Meeting ID: 860 4120 5446 Passcode: 680737 or online at:  
[https://cityofkeywest-fl-gov.zoom.us/j/86041205446?](https://cityofkeywest-fl-gov.zoom.us/j/86041205446?pwd=aFBnK1BWNEFPSlp0bnVHZVRKaUJJUT09)  
[pwd=aFBnK1BWNEFPSlp0bnVHZVRKaUJJUT09](https://cityofkeywest-fl-gov.zoom.us/j/86041205446?pwd=aFBnK1BWNEFPSlp0bnVHZVRKaUJJUT09) Passcode: 680737

#### Call Meeting to Order

- 1**                      **Case # 21-1452**  
Last Key Realty Inc.  
Peter Rysman- Registered Agent  
2718 Harris Ave  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Sophia Doctoche  
Certified Mail: 8-31-2021  
Initial Hearing: 10-21-2021

#### **New Case**

**Count 1:** Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

- 2**                      **Case # 21-1586**  
Barbary House Key West  
Diamondrock KW South Tenant, LLC  
NRAI Services, INC  
2001 S Roosevelt Blvd  
Sec. 30-5 Excessive false alarms declared a public nuisance  
Sec. 30-6 False alarm signal service charge; collection  
Officer Paul Navarro

Certified Mail: 10-18-2021  
Initial Hearing: 10-21-2021

### **New Case**

**Count 1:** Failure to avoid more than three false alarms within a 12-month period.

**Count 2:** Failure to pay false alarm fees with the City of Key West Revenue Department or City of Key West Fire Department.

**3**

### **Case # 20-524**

Gregory G Farrelly- Registered Agent  
828 Windsor Lane  
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions  
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 Edward Keane  
Certified Mail: 6-30-2021  
Initial Hearing: 6-24-2021

### **Continued from 26 August 2021**

**Count 1:** Failure to submit as built certifications to the City of Key West.

**Count 2:** Failure to apply and obtain an LUD with the City of Key West Planning Department.

**Count 3:** Failure to apply and obtain a non-transient license from the City of Key West Licensing Department.

**4**

### **Case # 21-246**

Thomas L Fortin  
1106 Grinnell Street  
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions  
Sec. 14-40 Permits in historic districts  
Sec. 122-600 Dimensional requirements  
Officer Edward Keane  
Certified Mail:  
Initial Hearing: 8-26-2021

### **Continued from 26 August 2021**

**Count 1:** Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

**Count 2:** Failure to apply and obtain the appropriate roofing permits for the HARC district.

**Count 3:** Failure to have the proper dimensional setback requirements for the HARC district.

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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 Jim Young

Certified Mail: 2-2-2021

Initial Hearing: 2-18-2021

**Continued from 26 August 2021**

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

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**Case # 19-1445**

Adrienne Bond

1207 19th Terrace

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: Igor Timus

Certified Mail:

Initial Hearing: 5-27-2021

**Continued from 27 May 2021**

**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.

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**Case # 21-1537**

Richard Hoy

Alan Walker - **Repeat**~~John Eric Spencer~~ - **Dismissed**

Edward A. Chilton

1011 Windsor Lane

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **All parties - Repeat Alan Walker**Sec. 14-40 Permits in historic districts - **All parties - Repeat Alan Walker**Sec. 14-256 Permit required - **All parties**Sec. 14-262 Request for inspection - **All parties**Sec. 14-359 Permit display - **All parties**Sec. 66-87 Business tax receipt required for all holding themselves out to  
be engaged in business - **Alan Walker, ~~John Spencer~~, Edward Chilton**Sec. 18-150 Certificate of competency required - **Alan Walker, ~~John  
Spencer~~, Edward Chilton**Sec. 18-117 Acts declared unlawful - **Richard Hoy**

Officer Leo Slecton

Certified Mail: 9-27-2021 - Richard Hoy

Hand Posted: 10-15-2021 - Alan Walker

Initial Hearing: 10-21-2021

**New Case****Counts 1-5 All parties****Count 1:** Failure to apply and obtain a building permits with the City of Key  
West Building Department. - **Repeat Alan Walker****Count 2:** Failure to apply and obtain a Certificate of Appropriateness with  
the City of Key West HARC Department. - **Repeat Alan Walker****Count 3:** Failure to apply and obtain electrical permits with the City of Key  
West Building Department.**Count 4:** Failure to schedule a required inspection with the City of Key  
West Building Department.**Count 5:** Failure to apply and obtain a plumbing permit with the City of  
Key West Building Department.**Counts 6-7 Alan Walker, John Spencer, Edward Chilton****Count 6:** Failure to achieve Certificate of Competency.**Count 7:** Failure to apply and obtain a Business Tax Receipt with the City  
of Key West Licensing Department.**Count 8 Richard Hoy only****Count 8:** Failure to apply and obtain a Business Tax Receipt with the City  
of Key West Licensing Department.

8

**Case # 21-1311**

Charles Means

515 Bahama Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-40 Permits in historic districts  
Officer Sophia Doctoche  
Certified Mail: 8-20-2021  
Initial Hearing: 10-21-2021

**Continued from 21 October 2021**

**Count 1:** Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

**Count 2:** Failure to apply and obtain the appropriate permits for the HARC district.

9

**Case # 21-1349**

Patrick & Terri Labrada- **Heard at October Hearing**

William Salvatore- **Settlement Agreement**

1901 S Roosevelt Blvd 305N

Sec. 18-601 License required - **Irreparable**

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

Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations (D)(3) - **Irreparable**

Officer Sophia Doctoche

Certified Mail: 8-20-2021- Patrick & Terri Labrada

Certified Mail: 8-18-2021- William Salvatore

Initial Hearing: 10-21-2021

**Continued from 21 October 2021**

**Count 1-7:** 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. - **Irreparable**

**Count 8-10:** Failure to obtain the required city, county or state license for holding out/ advertising a short-term rental at this property. - **Irreparable**

**Count 11-17:** Unlawfully holding out this short-term rental for seven nights. - **Irreparable**

10

**Case # 21-1394**

711 Waddell Street LLC

Lawrence U. Taube Esq.- Registered Agent  
711 Waddell Ave  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business - **Irreparable**  
Officer Sophia Doctoche  
Certified Mail: 8-31-2021  
Initial Hearing: 10-21-2021

**In compliance as of 27 September 2021; Request dismissal**

**Count 1:** Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.- **Irreparable**

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**Case # 21-1451**

Alison Jane Johnson  
1610 Trinidad Drive  
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 D(9)  
Sec. 58-61 Determination and levy of charge  
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions  
Officer Sophia Doctoche  
Hand Posted: 10-8-2021  
Initial Hearing: 10-21-2021

**Continued from 21 October 2021**

**Count 1-27:** 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.

**Count 28-30:** Failure to obtain the required city, county or state license for holding out/ advertising a short-term rental at this property.

**Count 31-58:** Unlawfully holding out this short-term rental for twenty seven nights.

**Count 59:** Failure to contact the Planning Department and obtain the necessary legal unit determination for each unit.

**Count 60:** Failure to apply and obtain a building permit from the City of Key West Building Department.

12

**Case # 21-1564**

Glenn M Kingsbury  
825 Southard Street

Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Sophia Doctoche  
Certified Mail: 9-23-2021  
Initial Hearing: 10-21-2021

**In compliance 24 September 2021; Request dismissal**

**Count 1:** Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

**13**

**Case # 21-1615**

Truman Annex Real Estate Co. INC.  
Compass Realty  
Michael Richard Behmke- Registered Agent  
512 Emma Street  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Sophia Doctoche  
Certified Mail: 10-12-2021  
Initial Hearing: 10-21-2021

**New Case**

**Count 1:** Failure to apply and obtain a non-transient license with the City of Key West Licensing Department.

**14**

**Case # 20-227**

Tadd Mallard  
3359 Flagler Ave  
Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions  
Officer Paul Navarro  
Hand Posted: 9-30-2021  
Initial Hearing: 10-21-2021

**Continued from 21 October 2021**

**Count 1:** Failure to apply and obtain permits from the City of Key West Building Department.

**15**

**Case # 21-391**

Christian E Teves and Michael S Burau  
533 Petronia Street  
Sec. 62-2 Obstructions  
Officer Paul Navarro  
Certified Mail: 6-7-2021  
Initial Hearing: 6-24-2021

**Continued from 26 August 2021**

**Count 1:** Failure to remove obstructing palm trees from the right-of-way.

**16**

**Case # 21-1048**

Dj's Clam Shack LLC  
Jeff Gagnon- Registered Agent  
629 Duval Street  
Sec. 26-32 Nuisances illustrated  
Officer Paul Navarro  
Certified Mail: 8-16-2021  
Initial Hearing: 8-26-2021

**In compliance as of 12 October 2021; Request dismissal**

**Count 1:** Failure to cease all slop, foul or dirty water, filth, refuse or offal, discharged in or upon any right-of-way.

**17**

**Case # 21-1430**

Big Fish Restaurant Group LLC  
Jane E Patterson- Registered Agent  
633 Duval Street  
Sec. 26-32 Nuisances illustrated  
Officer Paul Navarro  
Certified Mail: 8-16-2021  
Initial Hearing: 8-26-2021

**In compliance as of 12 October 2021; Request dismissal**

**Count 1:** Failure to cease all slop, foul or dirty water, filth, refuse or offal, discharged in or upon any right-of-way.

**18**

**Case # 21-1125**

Peter N Brawn  
1413 South Street  
Sec. 110-259 Duty of private property owner



Sec. 26-126 Clearing of property of debris and noxious material required  
Sec. 26-32 Nuisances illustrated  
Sec. 62-2 Obstructions  
Officer Roman Stenko  
Certified Mail: 10-15-2021  
Initial Hearing: 10-21-2021

**Continued from 21 October 2021**

**Count 1:** Failure to cut the overgrown plants around the subject property.  
**Count 2:** Failure to remove all noxious materials, beehive, and unsanitary conditions from the subject property.  
**Count 3:** Failure to remove all nuisances conditions and stagnant water from the subject property.  
**Count 4:** Failure to remove all plants obstructing the ordinary use of the right-of-way.

**19**

**Case # 21-1376**  
Circle K Stores INC  
Corporation Service Company- Registered Agent  
3032 N Roosevelt Blvd  
Sec. 30-1 Fees for false alarms and fire code inspections  
Officer Roman Stenko  
Certified Mail: 10-12-2021  
Initial Hearing: 10-21-2021

**In compliance as of 12 October 2021; Request dismissal**

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

**20**

**Case # 21-1385**  
Circle K Stores INC  
Corporation Service Company- Registered Agent  
1890 N Roosevelt Blvd  
Sec. 30-1 Fees for false alarms and fire code inspections  
Officer Roman Stenko  
Certified Mail: 10-12-2021  
Initial Hearing: 10-21-2021

**In compliance as of 12 October 2021; Request dismissal**

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

21

**Case # 21-1386**

Circle K Stores INC  
Corporation Service Company- Registered Agent  
1075 Duval Street  
Sec. 30-1 Fees for false alarms and fire code inspection  
Officer Roman Stenko  
Certified Mail: 10-12-2021  
Initial Hearing: 10-21-2021

**In compliance as of 12 October 2021; Request dismissal**

**Count 1:** Failure to pay delinquent fire inspection fees.

22

**Case # 21-1496**

Phyllis Squires  
1513 Seminary Street  
Sec. 26-32 Nuisances illustrated  
Sec. 26-126 Clearing of property of debris and noxious material required  
Officer Roman Stenko  
Certified Mail: 10-06-2021  
Initial Hearing: 10-21-2021

**Continued from 21 October 2021**

**Count 1:** Failure to remove all miscellaneous items and clean the property from all overgrown weed, grasses and trees.

**Count 2:** Failure to remove all miscellaneous items and clean the property from all overgrown weed, grasses and trees.

23

**Case # 21-1526**

Summer Breeze Oxygen Bar, LLC  
Hershoff Lupino Yagel L.L.P.- Registered Agent  
335 Duval Street #6  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Igor Timus  
Certified Mail: 10-15-2021  
Initial Hearing: 10-21-2021

**Continued from 21 October 2021**

**Count 1:** Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

24

**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 Jim Young

Certified Mail: 1-27-2021

Initial Hearing: 2-18-2021

**Continued from 29 April 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.

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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

**Continued from 26 August 2021****Count 1:** Failure to apply and obtain the after the fact permits for all un-permitted work.**Count 2:** Failure to schedule an inspection for all work that has been completed.

26

**Case # 20-1029**

Leslie Rene 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 Jim Young

Certified mail: 1-16-2021

Initial Hearing: 2-18-2021

### **In compliance as of 1 October 2021; Request dismissal**

**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.

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### **Case # 20-1493**

Richard T Lewis

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 Jim Young

Hand Served: 3-25-2021

Initial Hearing: 2-18-2021

### **Continued from 26 August 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.

**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.

**Adjournment**