



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Code Compliance Hearing

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Thursday, July 29, 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 - 1:30 P.M.**

#### Code Violations

**1**

**Case # 21-1259**

Playtime Apparel INC - Owner  
Joseph Cohen - Registered Agent  
304 Front Street  
Sec. 58-34 Unlawful disposal  
Officer Laurie Skinner  
Hand Served: 7-23-2021 - **Amended**  
Initial Hearing: 7-29-2021

**New Case**

**Count 1:** Failure to dispose of trash on the City's right of way.

Brandie Peretz was present on behalf of the respondent. Code officer Laurie Skinner did not attend due to an emergency. Director Jim Young spoke on the behalf of the code officer Laurie Skinner. Jim Young stated that the City will be requesting a continuance for cases 21-1256 and 21-1259. The Special Magistrate granted the continuance. Brandie Peretz wanted the Special Magistrate to hear the case. The Special Magistrate did not continue due to Laurie Skinners absence.

**2**

**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 24 June 2021**

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

Laurie Skinner was the code officer and was not present. Van D. Fischer was present on the behalf of the respondent. Director Jim Young spoke on the behalf of the code officer. Director Jim Young stated that this case was continued upon the request of Mr. Fischer for his client waiting to go to Planning Board to get a variance and the Planning board denied their variance request. Mr. Fischer also stated that the variance was denied and asked for the case to be continued. The Assistant City Attorney Nathalia Mellies stated that the respondent was still within the appeal period. The Special Magistrate asked the Assistant City Attorney when the case should be continued. The Assistant City Attorney agreed to continue to 26 August 2021. The Special Magistrate granted the continuance.

3

**Case # 21-1209**

Eileen Lunogo  
1114 Elgin Lane  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodation in residential dwellings; regulations  
Sec. 122-1371 Transient living accommodation in residential dwellings; regulations (D)(3)  
Officer Sophia Doctoche  
Certified Mail: 6-28-2021  
Initial Hearing: 7-29-2021

**Settlement Agreement**

**Count 1:** Failure to obtain a transient medallion and license to advertise and rent short-term.

**Count 2:** Failure to obtain all required city, county and state licensing to advertise and rent short-term.

**Count 3:** Failure to obtain all required city, county and state licensing to advertise and rent short-term.

A settlement agreement was presented to the Special Magistrate which he approved. Costs of \$250.00 for Administrative Fees and a one time fine of \$1,602.69 for a total due \$1,852.69.

4

**Case # 21-1141**

Stinkin' Crawfish Key West LLC

217 Duval Street

Sec. 62-1 Deposits of oil; grease or other waste- **Irreparable**

Officer Stephanie Fleuridor

Certified Mail: 6-28-2021

Initial Hearing: 7-29-2021

**Settlement Agreement**

**Count 1:** Failure to prevent or cause any oil, grease or other waste to flow or otherwise be placed upon any right of way, street, alley, swale, public square or sidewalk with in the city. - **Irreparable**

**A Settlement Agreement was presented to the Special Magistrate which he approved. Costs of \$250.00 for Administrative Fees and a cleanup fee of \$1,043.52 also a one time fee of \$1,293.52 for a total due of \$2,587.04.**

5

**Case # 19-1251**

Joseph P Stefanacci

3001 Riviera Drive

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

Sec. 14-256 Permit required

Sec. 14-262 Request for inspection

Sec. 14-359 Permit display

Officer Edward Keane

Certified Mail: 5-19-2021

Initial Hearing: 6-24-2021

**In compliance as of 14 July 2021; Request dismissal**

**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 building permits with the City of Key West Building Department.

**Count 3:** Failure to schedule an electrical inspection with the City of Key West.

**Count 4:** Failure to apply and obtain the appropriate building permits with the City of Key West Building Department.

**Edward Keane was the code officer. This case came into compliance on 14 July 2021 and the City is requesting a dismissal. The Special Magistrate granted the dismissal.**

6

**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:

Initial Hearing: 6-24-2021

**Continuance previously granted to 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.

Edward Keane was the code officer. Edward Keane asked for a continuance to  
26 August 2021. The Special Magistrate granted the continuance.

7

**Case # 21-837**

Roy Carson

19527 Indian Mound Drive

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

Officer Edward Keane

Certified Mail:

Initial Hearing: 7-29-2021

**In compliance as of 2 June 2021; Request dismissal****Count 1:** Failure to apply and obtain a business tax receipt from the City  
of Key West Licensing Department.

Edward Keane was the code officer. This case came into compliance 2 June  
2021 and the City is requesting a dismissal. The Special Magistrate granted the  
dismissal.

8

**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

**Continued from 24 June 2021**

**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.

Paul Navarro was the code officer. Daniel Sobczak from the Planning Department was present. Daniel stated that the applicant had emailed the information for the accessory structure and he did not do the math correctly. Daniel stated that she did not receive the correct square feet for the accessory structure. The case will be going to the Planning Board Meeting 19 August 2021 to have those facts amended and approved. Daniel agreed to have the case continued to 26 August 2021. Code Compliance had no objections. The Special Magistrate granted the continuance.

9

**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 24 June 2021**

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

Paul Navarro was the code officer. Eric Teves was present on the behalf of the respondent. Paul Navarro asked for a continuance to 26 August 2021 as the legal department is working on a solution. Eric Teves agreed to the continuance. The Special Magistrate agreed to the continuance.

10

**Case # 21-738**

National Car Rental  
2516 North Roosevelt Blvd  
Sec. 122-1406 Obstructions to visibility  
Sec. 58-31 Container and receptacle requirements

Officer Laurie Skinner  
Certified Mail: 7-19-2021 - **Amended**  
Initial Hearing: 7-29-2021

**New Case**

**Count 1:** Failure to remove cars parked in front of the fence of the subject property.

**Count 2:** Failure to contain all trash inside of dumpster.

Laurie Skinner was the code officer. Director Jim Young spoke on the behalf of the code officer and asked for a continuance since the officer could not attend. The Special Magistrate granted the continuance to 26 August 2021.

11

**Case # 21-1256**

Playtime Apparel INC- Owner  
Joseph Cohan- Registered Agent  
300 Front Street  
Sec. 58-34 Unlawful disposal - **Amended**  
Officer Laurie Skinner  
Hand Served: 7-23-2021  
Initial Hearing: 7-29-2021

**New Case**

**Count 1:** Failure to dispose of cardboard on the City's right of way. - **Amended**

Laurie Skinner was the code officer and was not present. Director Jim Young spoke on the behalf of the code officer and asked for a continuance since the officer could not attend. The Special Magistrate granted the continuance to 26 August 2021.

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**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 Jim Young  
Certified mail: 1-16-2021  
Initial Hearing: 2-18-2021

**Continued from 24 June 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.

Jim Young was the code officer. Leslie Bird was present via zoom. Jim Young stated that the City was requesting for a continuance to the 26 August 2021 due to waiting on the 45 day appeal process from DEO. Leslie Bird agreed to the continuance. The Special Magistrate granted the continuance.

13

**Case # 21-35**

Toppino Industries, LLC

C/O Richard Toppino, R.A.

19 Hilton Haven Drive

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

Officer Jim Young

Certified Mail: 6-30-2021

Initial Hearing: 7-29-2021

**In compliance as of 20 July 2021; Request dismissal**

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

Jim Young was the code officer. This case came into compliance 20 July 2021 and the City is requesting a dismissal. The Special Magistrate granted the dismissal.

14

**Case # 21-393**

Mohammed Billal and Mst P. Hossian

2305 Patterson Avenue

Sec. 14-256 Electrical permit required

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

Officer Jim Young

Certified Mail:

Initial Hearing: 7-29-2021

**In compliance as of 4 May 2021; Request dismissal**

**Count 1:** Failure to apply and obtain an electrical permit with the City of Key West Building Department.

**Count 2:** Failure to apply and obtain a permit with the City of Key West Building Department.

**Jim Young was the code officer. This case came into compliance 4 May 2021 and the City is requesting a dismissal. The Special Magistrate granted the dismissal.**

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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 24 June 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.

**Jim Young was the code officer. The Assistant City Attorney Nathalia Mellies asked for a 7 min recess to try and contact Michael Helpburn the Attorney for the respondent since he was not present. Erin Sodie was present on behalf of the respondent. Eric Sodie asked for a continuance to the 26 August 2021. The Special Magistrate agreed to the continuance.**

**Adjournment - 1:58 P.M.**