



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Code Compliance Hearing

Thursday, March 24, 2022

1:30 PM

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.

You may also attend these meetings virtually via Zoom by telephoning +1 312 626 6799

Meeting ID: 828 5748 0920 Passcode: 910050 or Online at:

[https://cityofkeywest-fl-gov.zoom.us/j/82857480920?](https://cityofkeywest-fl-gov.zoom.us/j/82857480920?pwd=MkVjOTI4M3M1cHZMYUFoQ2JYQStyQT09)

pwd=MkVjOTI4M3M1cHZMYUFoQ2JYQStyQT09 Meeting ID: 828 5748 0920 Passcode: 910050

Call Meeting to Order

Code Violations

1

Case # 21-1904

Steven Kunkemoeller

708 South Street 1

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

Sec. 14-40 Permits in historic districts

Officer Keenan Mellendorf

Certified Mail: 1-24-2022

Initial Hearing: 2-24-2022

Continued from 24 February 2022

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

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

Keenan Mellendorf was the Code Officer. Rich Pedalino who is the property

manager from Vacasa was present on behalf of the Respondent. Officer Keenan stated that this case came into compliance early morning March 24, 2022 and requested that the case be dismissed. The Special Magistrate granted the dismissal.

2

Case # 22-3

Liberty Noma LLC

416 Petronia Street #4

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

Officer Sophia Doctoche

Certified Mail: 3-2-2022

Initial Hearing: 2-24-2022

Continued from 24 February 2022

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

The Code Officer was Sophia Doctoche. Theresa Moer was present on behalf of the Respondent. Officer Doctoche read her timeline and evidence was shown. Theresa explained that her company thought the state license and city license was already done, but she was wrong. The Special Magistrate found that the Respondent admitted to the violation. Officer Doctoche explained that the City will be asking for a finding of the violation with \$250 court costs and \$250 per count per day until in compliance. The Special Magistrate granted the finding of violation with a compliance date of 15 April 2022.

3

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 February 2022

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.

Director Jim Young was present on behalf of the City. Attorney Michael Halpern

was present on behalf of the Respondent. Director Young explained that at the last hearing on 24 February 2022 there were concerns about life safety due to electrical problems, and that there was an inspection done on 3 March 2022 where they found no life safety issues. Attorney Halpern stated that they are waiting on the Engineer they hired to submit plans so that they can come into compliance. Attorney Halpern asked for another continuance. The Special Magistrate granted the continuance to 26 May 2022.

4**Case # 21-1787**

Pinku Chandra Debnath

MD Lutful Imad

1213 14th Street Lot 179

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

Sec. 14-359 Permit display

Officer Sophia Doctoche

Hand Posted: 3-18-2022

Initial Hearing: 3-24-2022

New Case

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.

Sophia Doctoche was the Code Officer. The Respondent did not attend. Officer Doctoche stated that she posted the property 18 March 2022 which was not enough notice for the Respondent, so she asked for a continuance. The Special Magistrate granted the continuance to 28 April 2022.

5**Case # 21-1884**

Maouad Varela I LLC

1011 Varela Street

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

Officer Sophia Doctoche

Hand Posted: 2-14-2022

Initial Hearing: 2-24-2022

Continued from 24 February 2022

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

The Code Officer was Sophia Doctoche. The Respondent did not attend. Officer

Doctoche explained that at the last hearing on 24 February 2022 the Special Magistrate imposed a finding of violation with \$250 admin coasts and \$250 per count per day with a compliance date of 20 March 2022. Officer Doctoche stated that they have not done anything to come into compliance. The Special Magistrate granted that the fines start running from 21 March 2022 until in compliance.

6**Case # 21-1885**

Maouad- Varela 2 LLC

1011 Varela Street 2

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

Officer Sophia Doctoche

Hand Posted: 2-14-2022

Initial Hearing: 2-24-2022

Continued from 24 February 2022

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

The Code Officer was Sophia Doctoche. The Respondent did not attend. Officer Doctoche explained that at the last hearing on 24 February 2022 the Special Magistrate imposed a finding of violation with \$250 admin coasts and \$250 per count per day with a compliance date of 20 March 2022. Officer Doctoche stated that they have not done anything to come into compliance. The Special Magistrate granted that the fines start running from 21 March 2022 until in compliance.

7**Case # 22-160**

Secret Villa II LLC

James Heslin- Registered Agent

605 Free School Alley

Sec. 66-102 Dates due and delinquent; penalties

Officer Sophia Doctoche

Certified Mail: 2-11-2022

Initial Hearing: 2-24-2022

In compliance as of 7 March 2022; Request dismissal

Count 1: Failure to pay all past due, delinquent and collection fees for the delinquent business tax receipt.

This case came into compliance as of 7 March 2022. The City requested a dismissal and The Special Magistrate granted the dismissal.

8**Case # 22-400**

Eileen Luongo
1114 Elgin Lane
Sec. 18-601 License required- **Repeat**
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations- **Repeat**
Sec. 122-1371 Transient living accommodations in residential dwellings;
regulations- **Repeat**
Officer Sophia Doctoche
Certified Mail: 2-25-2022
Initial Hearing: 3-24-2022

New Case

Count 1-15: Failure to obtain a transient medallion and license to advertise and rent short-term.- **Repeat**

Count 16-18: Failure to obtain all required city, county and state licensing to advertise and rent short-term.- **Repeat**

Count 19-33: Failure to obtain all required city, county and state licensing to advertise and rent short-term.- **Repeat**

The Code Officer was Sophia Doctoche. Director Jim Young was present as well on behalf of the City. The Respondent did not attend. Sophia Doctoche read her timeline and evidence was shown. Director Young stated that this case is a repeat of the same violations the Respondent violated last time and with a recent housing crisis the City is taking this very seriously. Director Young further explained that the City was asking for the maximum amount for the violations. The Special Magistrate granted the finding of violations \$250 Admin coasts and \$500 per 33 counts for the repeat offense and the suspended fine of \$1,602.69 from a previously signed Settlement Agreement.

9

Case # 22-433

Key West Property Services Inc.
Tracy LM Dubensky
208 Fleming Street
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business
Officer Sophia Doctoche
Certified Mail: 3-7-2022
Initial Hearing: 3-24-2022

In compliance as of 2 March 2022; Request dismissal

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

This case came into compliance as of 2 March 2022. The City requested a

dismissal and The Special Magistrate granted the dismissal.

10

Case # 22-529

Key West Hideaways

Kenneth Schultz- Registered Agent

416 Louisa Street

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

Officer Sophia Doctoche

Certified Mail:

Initial Hearing: 3-24-2022

In compliance as of 15 March 2022; Request dismissal

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

This case came into compliance as of 15 March 2022. The City requested a dismissal and The Special Magistrate granted the dismissal.

11

Case # 22-189

Pohalski LLC

C/O Tony Willis CPA

1109 Truman Ave

Sec. 66-102 Dates due and delinquent; penalties

Officer Michal Matloch

Hand Posted: 2-28-2022

Initial Hearing: 2-24-2022

Continued from 24 February 2022

Count 1: Failure to pay all past due, delinquent and collection fees for the delinquent business tax receipt.

Michael Matloch was the Code Officer. The Respondent did not attend. Officer Matloch read his timeline and evidence was shown. Officer Matloch stated that the Respondent did come into compliance, but the City is asking for a finding of violation since this would be the third time the Respondent has been sent to hearing. The Special Magistrate granted the finding of violation with \$250 Admin coasts.

12

Case # 22-17

BB&T

Truist Bank Corporation Service Company

1010 Kennedy Dr Suite 100

Sec. 30-1 Fees for false alarms and fire code inspections
Officer Keenan Mellendorf
Certified Mail: 3-17-2022
Initial Hearing: 3-24-2022

New Case

Count 1: Failure to contact the Revenue Department to submit payment for the delinquent fire inspection fees.

The Code Officer was Keenan Mellendorf. The Respondent did not attend. Officer Mellendorf read his timeline and evidence was shown. Officer Mellendorf stated that the City was asking for a finding of violation with \$250 Admin costs and \$250 per count per day until compliance. The Special Magistrate granted the finding of violation with a compliance date set for 15 April 2022.

13

Case # 22-21

Popeye's Louisiana Kitchen
CT Corporation System- Registered Agent
2120 N Roosevelt Blvd
Sec. 30-1 Fees for false alarms and fire code inspections
Officer Keenan Mellendorf
Certified Mail:
Initial Hearing: 3-24-2022

In compliance as of 3 March 2022; Request dismissal

Count 1: Failure to contact the Revenue Department to submit payment for the delinquent fire inspection fees.

This case came into compliance as of 3 March 2022. The City requested a dismissal and The Special Magistrate granted the dismissal.

14

Case # 22-35

It's Sugar
Brain Kopelowitz- Registered Agent
117 Duval Street
Sec. 2-939 Revocable Licenses
Officer Keenan Mellendorf
Certified Mail: 3-10-2022
Initial Hearing: 3-24-2022

In compliance as of 2 March 2022; Request dismissal

Count 1: Failure to apply and obtain a revocable license from the City of

Key West Licensing Department.

This case came into compliance as of 2 March 2022. The City requested a dismissal and The Special Magistrate granted the dismissal.

15

Case # 22-200

Skippy's Mobile Rescue

Scott Weber

1300 15th Ct Lot 43

Sec. 66-102 Dates due and delinquent; penalties

Officer Paul Navarro

Hand Posted: 3-14-2022

Initial Hearing: 3-24-2022

New Case

Count 1: Failure to pay all past due, delinquent and collection fees for the delinquent business tax receipt.

The Code Officer was Paul Navarro. The Respondent Preston Weber attended the hearing. Assistant City Attorney Ron Ramsingh was present as well. Officer Navarro read his timeline. The Respondent stated that he has not been in business since August of last year due to medical issues. The Respondent also stated he wanted to keep his business license open but can not pay the delinquent fees right now due to those same medical issues. Assistant City Attorney Ramsingh stated that Mr.Weber not being in business is one thing, but he couldn't help but notice that he was wearing his mechanic shirt at the hearing. Mr.Weber explained that he was just trying to look presentable for the hearing. The Special Magistrate did find that there was enough evidence for a finding of violation and he imposed \$250.00 Admin coasts and for the Respondent to pay his delinquent business tax fees to the Licensing Department by 14 April 2022.

16

Case # 22-562

Paul Mead

2924 Riviera Dr

Sec. 100-292 Failure to achieve a compliance agreement

Officer Paul Navarro

Hand Posted: 3-9-2022

Initial Hearing: 3-24-2022

Continuance granted to 28 April 2022

Count 1: Failure to comply with the settlement agreement.

This case was previously granted a continuance to 28 April 2022.

17

Case # 22-147

Paul S Mills CPA

1541 5th Street

Sec. 66-102 Dates due and delinquent; penalties- **Repeat**

Officer Leo Slecton

Certified Mail: 2-17-2022

Initial Hearing: 2-24-2022

Continued from 24 February 2022

Count 1: Failure to pay all past due, delinquent and collection fees for the delinquent business tax receipt.- **Repeat**

The Code Officer was Leo Slecton. The Respondent did not attend. Officer Slecton read his timeline and stated that the Respondent had until 20 March 2022 to come into compliance and he has not come into as of 24 March 2022. The Special Magistrate granted the fines to start to run from 21 March 2022 \$500.00 per count for a Repeat offense until compliance is achieved.

18

Case # 22-325

Alex Aiello

1701 Jamaica Drive

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

Officer Leo Slecton

Certified Mail: 3-10-2022

Initial Hearing: 3-24-2022

New Case

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

The Code Officer was Leo Slecton. The Respondent did not attend. Officer Slecton read his timeline and evidence was shown. Officer Slecton stated that the City is asking for a finding of violation with \$250 Admin costs and \$250 per count per day with a compliance date set for 7 April 2022. The Special Magistrate granted the finding of violation.

19

Case # 20-31

Florida Limited Liability Company

530 William Street LLC

F&L Corp- Registered Agent

719 Fleming 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
 Sec. 14-256 Permit required
 Sec. 14-262 Request for inspection
 Sec. 14-359 Permit display
 Sec. 14-326 Plans and specifications
 Sec. 14-327 Inspection
 Officer Igor Timus
 Certified Mail: 10-25-2021
 Initial Hearing: 11-18-2021

In compliance as of 21 March 2022; Request dismissal

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

Count 2: Failure to apply and obtain a certificate of appropriateness with the City of Key West HARC Department.

Count 3: Failure to apply and obtain a variance with the City of Key West Planning Department.

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

Count 5: Failure to contact the City of Key West Building Department and schedule an electrical inspection.

Count 6: Failure to apply and obtain plumbing permits with the City of Key West Building Department.

Count 7: Failure to apply and obtain building permits with the City of Key West Building Department.

Count 8: Failure to contact the City of Key West Building Department and schedule a mechanical inspection.

This case came into compliance as of 21 March 2022. The City requested a dismissal and The Special Magistrate granted the dismissal.

20

Case # 20-1493

Richard T Lewis
 Susan Derosé
 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 27 January 2022

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.

Director Jim Young was present on the behalf of the City. Richard Lewis the Respondent was present as well. Director Young stated that he wanted to dismiss some counts because Mr. Lewis has come into compliance on all of them but one. Count 1 Sec. 62-2 was dismissed and in compliance as of 23 March 2022. Count 2 Sec. 14-37 was dismissed and in compliance as of 10 June 2021. Count 4 Sec. 14-40 was dismissed and in compliance as of 10 June 2021. Count 5 Sec. 62-2 was dismissed and in compliance as of 10 June 2021. The Special Magistrate granted the dismissals of counts 1, 2, 4, and 5. Mr. Lewis stated that he is in compliance with count 3 as of 12:30pm 24 March 2022. Director Young stated that he did not want to dismiss the case because there was no evidence of compliance. Director Young suggested a continuance so that evidence can be gathered before the next hearing and the case can dismissed at the April Hearing. The Special Magistrate granted the continuance.

Adjournment