



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Meeting Agenda Full Detail Code Compliance Hearing

Wednesday, October 19, 2011

1:30 PM

Old 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 at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

Call Meeting to Order

Code Violations

1

Case # 10-1450

Peter Gomez
Ann Marie Robinson R/S
936 United Street
Sec. 102-152 Requirements for permits
Officer Gary Addleman
Certified Service: 9-24-2011
Initial Hearing: 10-19-2011

New Case

The columns that were installed are square and were approved as turned (round) columns.

Attachments: [10-1450 936 United NOH - Contr.](#)
[10-1450 936 United NOH - Owner](#)
[10-1450 936 United Street Pics](#)

2

Case # 09-1193

Allen Hansen
 2002 Seidenberg Avenue
 Sec. 58-61 Determination of Levy Charge
 Sec. 90-363 Certificate of Occupancy - Required
 Sec. 66-87 Business Tax Receipt required for all holding themselves out to be engaged in business
 Officer Dotty Austin
 Certified Service: 9-22-2011
 Initial Hearing: 10-19-2011

Continuance granted to November 16, 2011

For renting two units when only 1 sewer/solid waste account exists with the City. A certificate of occupancy is required for all units. A business tax receipt is required for all units.

Attachments: [09-1193 2002 Seidenberg NOH](#)

3

Case # 10-642

Mary Jo Pfund
 1405 4th Street
 Sec. 14-37 Building Permits, Display
 Officer Dotty Austin
 Certified Service: 5-12-2011
 Initial Hearing: 6-29-2011

Continued from September 28, 2011

Interior build outs, plumbing and electrical work require building permits prior to commencement of work.

Attachments: [10-642 1405 4th St NOH](#)

[10-642 1405 4th St Pics](#)

Legislative History

6/29/11	Code Compliance Hearing	Continuance
8/3/11	Code Compliance Hearing	Continuance
8/31/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

4

Case # 10-1274

Rockwell Property, Inc.
Catalfomo & Farrelly, R/A
Trepanier & Assoc., Inc.
Owen Trepanier
Richard W Hoy, DPS
2 Scheppens Lane
Sec. 14-37 Building Permits, Display
Sec. 14-40 Permits in the Historic District
Officer Dotty Austin
Certified Service: 8-15-2011
Initial Hearing: 8-31-2011

Continuance granted to November 16, 2011

Roof demolition and deck construction require permits and HARC approval prior to commencement.

Attachments: [10-1274 #2 Scheppen's Ln Rev NOCV-NOH](#)
[10-1274 2 Scheppens Ln Pics 111010](#)
[10-1274 2 Scheppens Web](#)

Legislative History

8/31/11 Code Compliance Hearing Continuance

5

Case # 10-1425

Richard Walker
2407 N Roosevelt Blvd
Sec. 14-37 Building Permits; Professional Plans; Display of Permits
Officer Dotty Austin
Certified Service: 10-11-2011
Initial Hearing: 10-19-2011

Continuance granted to November 16, 2011

On May 16, 2011, construction and or renovations of docks, railings, 3 buildings including plumbing and electrical was observed on the property. No permits have been issued for this work.

Attachments: [10-1425 2407 N Roosevelt Blvd NOH](#)
[10-1425 2407 N Roosevelt Blvd Pics](#)

6

Case # 11-712

Roger W Akers
Sandra J Henning
804 Eisenhower Drive
Sec. 14-37 Building Permits, Display
Sec. 14-40 Permits in the Historic District
Sec. 26-126 Clearing of Property
Sec. 14-256 Required for Electric
Officer Dotty Austin
Certified Service: 7-25-2011
Initial Hearing: 8-31-2011

Continuance granted to November 16, 2011

A building permit and HARC approval are required prior to the commencement of building a shed. An electrical permit is required prior to the installation of pool equipment.

Attachments: [11-712 804 Eisenhower NOH](#)
 [11-712 804 Eisenhower Pics 6-2-11](#)
 [11-712 804 Eisenhower Pics 72211](#)

Legislative History

8/31/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

7

Case # 11-732

Edward G DeLeon
1005 United Street A
Sec. 18-601 Transient License
Sec. 122-1371 Transient Living Accommodations
Sec. 122-269 Prohibited Uses - MDR
Officer Dotty Austin
Certified Service: 7-25-2011
Initial Hearing: 8-31-2011

Continued from 8-31-2011 for payment of administrative fee - PAID

A transient rental license is required prior to renting units transiently. Unlicensed transient rental use of residential dwellings is prohibited. Transient rental use of residential dwellings is prohibited in the MDR district.

Attachments: [11-732 1005A United St NOH Amended](#)
 [11-732 1005 United A Rental Quote](#)
 [11-732 1005 United A License](#)
 [11-732 1005 United A email](#)

Legislative History

8/31/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

8

Case # 10-919

John A Williams
Paul N Hayes, R/A for
Rent Key West Vacations
1328 Atlantic Blvd
Sec. 66-87 Business Tax Receipt required for all holding themselves out to be engaged in business
Officer Jim Young
Certified Service: 9-22-2011
Initial Hearing: 10-29-2011

New Case

A business tax receipt is required for all units being rented

Attachments: [10-919 1328 Atlantic Blvd NOH\(1\)](#)
 [10-919 1328 Atlantic Blvd NOH\(2\)](#)

9

Case # 10-1554

Reshma Gidwani
 3700 Pearlman Court
 Sec. 14-37 Building Permits, Display
 Sec. 66-102 Delinquent Business Tax
 Officer Jim Young
 Hand Served: 7-15-2011
 Initial Hearing: 8-3-2011

Continued from September 28, 2011

For failure to obtain a building permit for installing electricity in the shed and the business tax receipt is delinquent

Attachments: [10-1554 3700 Pearlman Ct Signed NOH](#)

Legislative History

8/3/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

10

Case # 11-43

Maria G & Frank Ratcliff
 Ratcliff Welding of Key West
 1105 Simonton Street
 Sec. 14-37 Building Permits; Display
 Sec. 14-40 Permits in the Historic District
 Sec. 102-152 Certificate of Appropriateness
 Officer Jim Young
 Certified Service: 4-19-2011
 Initial Hearing: 5-25-2011

Continued from September 28, 2011

A building permit and HARC approval are required prior to pouring concrete. A Certificate of Appropriateness is required prior to the installation of three new containers.

Attachments: [11-43 1105 Simonton St. NOH](#)
[11-43 1105 Simonton St. Additional letters](#)
[11-43 1105 Simonton St. Pics](#)
[11-43 1105 Simonton St. Planning and Lic docs](#)
[11-43 1105 Simonton St. Options in writing \(city\)](#)
[11-43 1105 Simonton St. response ltr from Ratcliff](#)

Legislative History

5/25/11	Code Compliance Hearing	Continuance
6/29/11	Code Compliance Hearing	Continuance

9/28/11 Code Compliance Hearing Continuance

11

Case # 11-612

Gregory Scorza
101 Duval Street
Sec. 106-51 Prohibited - Exterior Displays
Officer Jim Young
Certified Service: 9-21-2011
Initial Hearing: 10-19-2011

In compliance, request dismissal

Outdoor displays are prohibited in the Historic District unless an exception is granted by the Planning Board

Attachments: [11-612 101 Duval St. NOH \(Scorza\)](#)

12

Case # 11-903

MHC Enterprise, LLC
Michele Cates Deal R/A
505 Whitehead Street Up
Sec. 66-102 Dates Due and Delinquent; Penalties
Officer Jim Young
Certified Service: 9-22-2011
Initial Hearing: 10-19-2011

New Case

Business Tax Receipt is delinquent on one transient rental and one medallion

Attachments: [11-903 505 Whitehead St Apt 2 Up NOH](#)

13

Case # 11-934

Kenneth (Kenyatta) Arrington
 Street Performer
 Sec. 6-2 Permit Required
 Sec. 6-4 Permit Regulations
 Officer Jim Young
 Hand Served: 7-21-2011
 Initial Hearing: 8-31-2011

Continued from September 28, 2011 - under advisement

Permittee shall furnish and maintain public liability and property damage insurance. Amplified music is prohibited.

Attachments: [11-934 Kenneth Arrington NOH](#)
[11-934 Kenneth Arrington Pic](#)
[11-934 Arrington Pics](#)
[11-934 Arrington Pics\(2\)](#)
[11-934 Arrington Pics\(3\)](#)
[11-934 Arrington E-mails](#)

Legislative History

8/31/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

14

Case # 11-936

Tiger Maximus & River Seine
 c/o Earl Washington
 Street Performer
 Sec. 6-2 Permit Required
 Officer Jim Young
 Hand Served: 7-14-2011
 Initial Hearing: 8-31-2011

Continued from September 28, 2011 for compliance

Permittee shall furnish and maintain public liability and property damage insurance.

Attachments: [11-936 Maximum & Seine NOH](#)
[11-936 Maximus-Seine Pics](#)
[11-936 Maximus-Seine Pics\(2\)](#)

Legislative History

8/31/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

15

Case # 11-542

906 Fleming Street, LLC
John E Anding, Mgr.
Richard M Klitenick, R/A
for 906 Fleming Street LLC
906 Fleming Street
Sec. 18-601 Transient License
Sec. 122-839 Prohibited uses in HNC-2
Sec. 122-1371 Transient Living Accommodations
Officer Ginny Haller
Certified Service: 6-7-2011
Initial Hearing: 6-29-2011

Continued from September 28, 2011

A transient license is required to rent property transiently. Transient rentals are prohibited in the HNC-2 district. The property was held out and/or advertised as being available transiently on August 5, 2011 through August 19, 2011 without the benefit of a valid transient rental license.

Attachments: [11-542 906 Fleming NOH 3rd 10-19-11](#)
[11-542 906 Fleming NOH 3rd Property](#)
[11-542 906 Fleming Email July 30 to Aug 3](#)
[11-542 906 Fleming Email Aug 5 to Aug 19](#)
[11-542 906 Fleming Email Aug 21 to Aug 24](#)
[11-542 906 Fleming web ad](#)
[11-542 906 Fleming PICS](#)
[11-542 906 Fleming St Property Info](#)

Legislative History

8/3/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

16

Case # 11-615

John McCoy & Constance Kara
215 Eneas Lane
Sec. 14-37 Building Permits, Required
Sec. 102-152 Certificate of Appropriateness
Sec. 102-158 Stop Work Order & Penalty
Officer Ginny Haller
Certified Service: 8-4-2011
Initial Hearing: 8-31-2011

Irreparable Violation**Continued from September 28, 2011 for status**

A building permit and Certificate of Appropriateness are required prior to change out the door, stucco, installation of A/C units and installation of copper tubing. For working over a stop work order.

Attachments: [11-615 215 Eneas 2nd Amended NOH](#)
[11-615 215 Eneas AMENDED NOH](#)
[11-615 215 Eneas NOH](#)
[11-615 215 Eneas debris pic](#)
[11-615 215 Eneas door pic](#)
[11-615 215 Eneas pic](#)
[11-615 215 Eneas changes and new air cond pic](#)
[11-615 215 Eneas changes pic](#)
[11-615 215 Eneas left side house Pt 1 pic](#)
[11-615 215 Eneas left side house Pt 2 pic](#)

Legislative History

8/31/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

17

Case # 11-1072

Island Cigar & Tobacoria
Alon & Carol Croitoru
501 Greene Street 503
Sec. 106-51 Outdoor Display of Merchandise
Officer Ginny Haller
Certified Service: 9-7-2011
Initial Hearing: 9-28-2011

Repeat Violation**Continued from September 28, 2011**

The outdoor display of merchandise in the historic zoning districts of the city is prohibited unless an exception is granted by the planning board as provided in Section 106-52.

Attachments: [11-1072 501 Greene 503 NOCV and NOH](#)
[11-1072 501 Greene 503 photos](#)
[11-1072 501 Greene 503 License](#)
[11-1072 501 Greene 503 Finding of Fact. 2008](#)
[11-1072 501 Greene 503 Letter to Prop Owner](#)

Legislative History

9/28/11	Code Compliance Hearing	Continuance
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18

Case # 10-1375

MCCAR Investment Corp
Michael Browning, R/A
924 Kennedy Drive A
Sec. 14-37 Building Permits, Display
Sec. 14-358 Permit Required for Plumbing
Sec. 58-61 Determination & Levy
Sec. 90-356 Building Permit Required
Sec. 90-363 Certificate of Occupancy
Officer Barbara Meizis
Certified Service: 7-13-2011
Initial Hearing: 8-31-2011

Continued from September 28, 2011 for agreement

Plumbing permits are required prior to installation of running water. Property owner must obtain a determination & levy for solid waste collection on new shed/unit. Building permits are required. A certificate of occupancy is required.

Attachments: [10-1375 924 Kennedy Dr NOH](#)
[10-1375 924 kennedy dr photos exterior of sheds](#)
[10-1375 924 kennedy dr photos exterior-door hanger](#)
[10-1375 924 kennedy dr photos interior of sheds](#)

Legislative History

8/31/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

19

Case # 11-510

The Original Ghost Tours, Key West
 Dead Donkey, LLC - Owner
 Karen Cabanas, R/A
 Jason D McIntire
 ~ 537 Eaton Street
 Sec. 26-192 Prohibition against unreasonable noise
 Officer Barbara Meizis
 Certified Service: 7-13-2011
 Initial Hearing: 8-3-2011

Continued from September 28, 2011 for Settlement Agreement

Nightly, at approximately 10 pm, the tour congregates across the street from a residence and for 15 to 30 minutes, the group shouts at the top of their lungs.

Attachments: [11-510 streetcity Original Ghost Tour & Jason McIntire nc & obst](#)
[11-510 streetcity original ghost tours noise compl](#)
[11-510 streetcity original ghost tour-tour restrictions](#)
[11-510 streetcity Original Ghost Tour & Jason McIntire nc & obst](#)

Legislative History

8/3/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

20

Case # 11-125

Oscar Javier Alvarado
 2927 Seidenberg Avenue
 Sec. 108-677 Parking & Storage of Certain Vehicle
 Officer Barbara Meizis
 Certified Service: 9-10-2011
 Initial Hearing: 9-28-2011

Continued from September 28, 2011 for compliance

All vehicles shall have current license plates or be placed in an enclosure or removed from the property.

Attachments: [11-125 2927 Seidenberg Ave NOH](#)
[11-125 2927 Seidenberg Expired Tag](#)
[11-125 2927 Seidenberg photos of unlicensed vehicle](#)

Legislative History

9/28/11	Code Compliance Hearing	Continuance
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21

Case # 11-785

Brian & Kimberly Blanchette
1312 Reynolds Street 1
Sec. 14-40 Permits in the Historic District
Sec. 14-31 Florida Building Code
Officer Bonnita Myers
Certified Service: 8-1-2011
Initial Hearing: 8-31-2011

Continued from September 28, 2011

A building permit and HARC approval is required prior to replacing roof with V-crimp.

Attachments: [11-785 1312 Reynolds 1 NOH](#)
[11-785 1312 Reynolds St. pics](#)

Legislative History

8/31/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

22

Case # 11-1190

Shirrel & Diane Rhoades
1318 Duncan Street #4
Sec. 66-102 Delinquent Business Tax Receipt
Officer Jim Young
Certified Service: 9-27-2011
Initial Hearing: 10-19-2011

New Case

The business tax receipt to rent this property is delinquent

Attachments: [11-1190 1318 Duncan St #4 NOCV NOH](#)
[11-1190 1318 Duncan St #4 Lease and Keys Energy](#)

23

Case # 11-1191

Shirrel & Diane Rhoades
1318 Duncan Street #3
Sec. 66-102 Delinquent Business Tax Receipt
Officer Jim Young
Certified Service: 9-27-2011
Initial Hearing: 10-19-2011

New Case

The business tax receipt to rent this property is delinquent

Attachments: [11-1191 1318 Duncan St #3 NOCV NOH](#)
[11-1191 1318 Duncan st #3 Lease and Keys Energy](#)

24

Case # 11-1198

Shirrel & Diane Rhoades
329 Virginia Street
Sec. 66-102 Delinquent Business Tax
Officer Jim Young
Certified Service: 9-27-2011
Initial Hearing: 10-19-2011

New Case

The business tax receipt to rent this property is delinquent

Attachments: [11-1198 329 Virginia st NOCV NOH](#)
[11-1198 329 Virginia St Lease and Keys Energy](#)

25

Case # 11-1201

Shirrel & Diane Rhoades
217 Virginia Street
Sec. 66-102 Delinquent Business Tax
Officer Jim Young
Certified Service: 9-27-2011
Initial Hearing: 10-19-2011

New Case

The business tax receipt to rent this property is delinquent

Attachments: [11-1201 217 Virginia St NOCV NOH](#)
[11-1201 217 Virginia St Lease and Keys Energy](#)

26

Case # 11-1202

Shirrel & Diane Rhoades
1101 Varela Street
Sec. 66-102 Delinquent Business Tax
Officer Jim Young
Certified Service: 9-27-2011
Initial Hearing: 10-19-2011

New Case

The business tax receipt to rent this property is delinquent

Attachments: [11-1202 1011 Varela St #1 NOCV NOH](#)
[11-1202 1011 Varela St Unit 1 Lease and Keys Energy \(2\)](#)

27

Case # 11-1210

Shirrel & Diane Rhoades
830 Olivia Street
Sec. 66-102 Delinquent Business Tax
Officer Jim Young
Certified Service: 9-27-2011
Initial Hearing: 10-19-2011

New Case

The business tax receipt to rent this property is delinquent

Attachments: [11-1210 830 Olivia St NOCV NOH](#)
[11-1210 830 Olivia St Lease & Keys Energy](#)

Mitigations

28

Case # 10-625 & 10-626

Victor Cushman
720 - 726 Emma Street

Continued from September 28, 2011 for ruling

Attachments: [10-625 10-626 720-726 Emma Mitigation](#)

Legislative History

9/28/11 Code Compliance Hearing Continuance

29 **Case # 11-127**
Clifford Cutler
2901 Seidenberg Avenue

HARC Appeals

30 **SMA 11-03**
Arch. William Rowan
1107 Grinnell Street
H11-01-445

Continued from September 28, 2011 for ruling

Attachments: [SMA 11-03 Hearing Notice](#)
 [SMA 11-03 Letter HARC Denial](#)

Legislative History

5/25/11	Code Compliance Hearing	Continuance
6/29/11	Code Compliance Hearing	Continuance
8/31/11	Code Compliance Hearing	Continuance
9/28/11	Code Compliance Hearing	Continuance

Liens

Case # 11-790
Dan's Discount Dumpsters
Dan Michie

Continue for service

Attachments: [11-790 Dan's Discount Dumpsters Lien](#)

Adjournment