



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Meeting Agenda Full Detail Code Compliance Hearing

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Wednesday, October 21, 2015

1:30 PM

Old 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 305-809-3731 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 # 15-830**  
Rishi Gidwani  
3609 Northside Drive  
Sec. 26-126 Clearing of property of debris and noxious material required  
Sec. 62-2 Obstructions  
Officer Bonnita Badgett  
Hand Served: 9-18-2015  
Initial Hearing: 10-21-2015

**In compliance October 14, 2015, request dismissal**

**Count 1:** The yard needs to be cleared on trash and debris and the lawn needs to be mowed. **Count 2:** The City's right of way needs to be cleared on trash and debris.

**2**                      **Case # 15-299**  
Millionaire Gallery Inc.  
Bruce Matthews, R/A  
Ocean Blue Commercial Holding  
824 Duval Street  
Sec. 114-104 Restriction on number of signs permitted  
Certified Service: 10-5-2015  
Initial Hearing: 10-21-2015

**Continuance granted to November 18, 2015**

**Count 1:** Photographed 12 signs affixed to the store front by either box wood sign and or stencils which exceed the allowable amount.

**3****Case # 15-564**

Key West Strip Inc.

Joel Marcus, R/A

Michael &amp; Sharon Irwin

509 Duval Street

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

Sec. 14-40 Permits in historic districts

Officer Peg Corbett

Certified Service: 9-18-2015 - owner

Posted: 9-25-2015 - business

Initial Hearing: 10-21-2015

**Continuance granted to November 18, 2015****Count 1:** For failure to obtain a building permits for the new signs.**Count 2:** For failure to obtain a certificate of appropriateness for the  
new signs.**4****Case # 15-863**

Angela Petronia LLC

Charles Krumel, R/A

607 Petronia Street

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

Sec. 14-40 Permits in historic districts. Modified

Officer Peg Corbett

Certified Service: 10-3-2015

Initial Hearing: 10-21-2015

**New Case****Count 1:** For building a deck without benefit of a permit. WardlowConstruction applied for the permits, but they remain in callback. **Count**  
**2:** A certificate of appropriateness is required prior to building a deck.

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**Case # 15-1138**

Terry J Barrett & Richard H Dericks  
540 White Street  
Sec. 58-31 Container and receptacle requirements  
Office Peg Corbett  
Certified Service: 9-14-2015  
Initial Hearing: 10-21-2015

**In compliance 9-24-2015, request dismissal**

**Count 1.** On Wednesday, 2 Sept 2015, bins were being stored on the city right of way. Trash pickup is on Monday.

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**Case # 15-1146**

Sheila K Mullins  
828 Fleming Street 830  
Sec. 58-31 Container and receptacle requirements  
Officer Peg Corbett  
Certified Service: 9-10-2015  
Initial Hearing: 9-30-2015

**In compliance September 24, 2015, request dismissal**

**Count 1:** On Wednesday, 2 Sept 2015, bins were being stored the the City right of way. Pick up is on Mondays.

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**Case # 15-1162**

Michael Brockner  
1004 Watson Street 1  
Sec. 58-31 Container and receptacle requirements  
Officer Peg Corbett  
Certified Service:  
Initial Hearing: 10-21-2015

**Continue to November 18, 2015 for service**

**Count 1:** On Wednesday, 2 Sept 2015, the bins were being store on the city right of way. Pickup is on Mondays.

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**Case # 14-1488**

Sunrise at Seaside Condo Association  
 3625 Seaside Drive  
 FBC. 1612.4 (ASCE 24-05) Floor Hazard Construction - **Counts 1 through 3**  
 Officer Scott Fraser  
 Certified Service: 9-15-2014  
 Initial Hearing: 10-21-2015

**Continuance granted to January 27, 2016**

**Count 1:** Unprotected enclosed structures below design floor elevation.  
**Count 2:** Flood venting below design flood elevation - required. **Count 3:** Unsecured fuel tanks - propane

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**Case # 14-1628**

117 Duval LLC  
 117 Duval Street  
 FBC 1612.4 (ASCE 24-415) Unprotected enclosed structure below design flood elevation  
 Officer Scott Fraser  
 Certified Service: 3-23-2015  
 Initial Hearing: 5-27-2015

**Continued from September 30, 2015 for compliance**

**Count 1:** In accordance with the City's requirements for participation in the National Flood Insurance Program (NFIP), the City's 2000 approval for construction of this commercial structure below the established NFIP flood level was contingent upon the installation and maintenance of approved floodproofing measures. These floodproofing measures no longer exist.

**Legislative History**

5/27/15	Code Compliance Hearing	Continuance
7/29/15	Code Compliance Hearing	Continuance
9/30/15	Code Compliance Hearing	Continuance

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**Case # 13-1418**

Carolyn Sprogell  
 907 Frances Street  
 Sec. 14-37 Building permits, professional plans; display of permits  
 Sec. 14-40 Permits in historic district  
 Sec. 62-2 Obstructions  
 Officer Leonardo Hernandez  
 Certified Service: 10-5-2014  
 Initial Hearing: 11-14-2014

**Continuance granted to December 16, 2015**

**Count 1:** For building a eight foot fence without benefit of a permit.

**Count 2:** For building a eight foot fence without benefit of HARC approval. **Count 3:** The fence is on the City's right of way.

Legislative History

11/14/14	Code Compliance Hearing	Continuance
1/28/15	Code Compliance Hearing	Continuance
2/25/15	Code Compliance Hearing	Continuance
3/20/15	Code Compliance Hearing	Continuance
8/26/15	Code Compliance Hearing	Continuance

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**Case # 14-1248**

Kenneth Dooley  
 Peter Bek-Gran  
 1410 Albury Street  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exceptions  
 Sec. 14-40 Permits in historic districts  
 Officer Leonardo Hernandez  
 Posted: 9-25-2015  
 Initial Hearing: 8-26-2015

**Continued from September 30, 2015**

**Count 1:** For failure to obtain a building permit for installation of brick pavers around the pool, rear, front and side property. **Count 2:** For failure to obtain a certificate of appropriateness for installation of brick pavers around the pool, rear, front and side property.

Legislative History

8/26/15	Code Compliance Hearing	Continuance
9/30/15	Code Compliance Hearing	Continuance

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**Case # 15-828**

Karen & Delmar Lewis - property owner  
 T Ryan Contracting Inc. - contractor  
 704 Caroline Street  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exceptions  
 Sec. 14-40 Permits in historic districts  
 Sec. 18-117 Acts declared unlawful (1)  
 Officer Leonardo Hernandez  
 Certified Service: 8-12-2015 - property owner  
 Hand Served: 9-16-2015 - contractor  
 Initial Hearing: 8-26-2015

**Continued from September 30, 2015 - contractor - Settlement  
 Agreement**

**The case against the property owner was continued to November  
 18, 2015**

**Count 1:** For failure to obtain a building permit prior to the removal of a  
 wooden deck. **Count 2:** For failure to obtain a certificate of  
 appropriateness prior to the removal of a wooden deck. **Count 3:** For  
 working outside the scope of your contractors license.

Legislative History

8/26/15	Code Compliance Hearing	Continuance
9/30/15	Code Compliance Hearing	Continuance

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**Case # 15-1177**

Aubrey Marie Otten  
 914 Frances Street  
 Sec. 58-31 Container and receptacle requirements  
 Officer Jorge Lopez  
 Certified Service: 9-14-2015  
 Initial Hearing: 10-21-2015

**In compliance September 13, 2015, request dismissal**

**Count 1:** On Thursday, 3 Sept 2015, a sofa was on the city right of way.  
 As of 10 Sept 2015, the sofa was still there.

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**Case # 15-1288**

Haskins Plumbing Inc.  
Thomas Haskins, R/A  
2023 Flagler Avenue  
Sec. 108-679 Commercial vehicles  
Officer Jorge Lopez  
Certified Service: 10-9-2015  
Initial Hearing: 10-21-2015

**In compliance October 15, 2015, request dismissal**

**Count 1:** On 25 Sept 2015 during a site inspection, there were three commercial vehicles parked on the city's right of way. Mr. Haskins was cited for the same violation on 22 Dec 2013.

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**Case # 14-1110**

JP Morgan Chase Bank National Association  
905 Emma Street  
Sec. 90-363 Certificate of occupancy - required  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Officer Barbara Meizis  
Certified Service: 9-2-2015  
Initial Hearing: 9-30-2015

**Request dismissal to cite new owner**

**Count 1:** Two more units were added to this single family home without benefit of a certificate of occupancy. **Count 2:** A building permit is required prior to added to units to this single family home.

**Legislative History**

9/30/15            Code Compliance Hearing            Continuance

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**Case # 14-1468**

James Chris Fiorella

Djin Suk Kim

George R &amp; Marcia E Halloran

16 Hilton Haven Drive D

Sec. 14-184 Certificate of Occupancy

Sec. 14-185 Compartmentation and flotation devices

Sec. 14-186 Electrical wiring and service

Sec. 14-188 Inboard sewage device

Sec. 14-191 Exit facilities

Sec. 14-192 Guardrails

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

Sec. 14-327 Inspection

Sec. 14-262 Request for inspection

Officer Barbara Meizis

Certified Service: 5-14-2015

Initial Hearing: January 28, 2015

**Continuance granted to November 18, 2015**

**Count 1:** For failure to obtain a certificate of occupancy. **Count 2:** Requires inspection to ensure items are installed according to the building code. **Count 3:** For to obtain electrical/mechanical permits. **Count 4:** Sewage devices requires an inspection. **Count 5:** Exit facilities requires an inspection. **Count 6:** Guardrails require an inspection. **Count 7:** All construction work, new sliding glass doors and new back deck with railing requires a building permit prior to construction. **Count 8:** All refrigeration and air conditioning apparatus requires inspections. **Count 9:** All electrical work requires inspections such as roughing-in, equipment installations, final inspections, etc.

**Legislative History**

12/17/14	Code Compliance Hearing	Continuance
1/28/15	Code Compliance Hearing	Continuance
2/25/15	Code Compliance Hearing	Continuance
3/20/15	Code Compliance Hearing	Continuance
8/26/15	Code Compliance Hearing	Continuance

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**Case # 15-165**

Natividad Vila L/E  
 Ines M Brown T/C  
 1324 20th Terrace  
 Sec. 90-356 Building permits required  
 Sec. 90-365 Violations and penalties  
 Officer Barbara Meizis  
 Posted: 3-19-2015  
 Certified Service: 5-12-2015 - Ines Brown  
 Initial Hearing: 4-29-2015

**Continued from September 30, 2015 for compliance  
 Extended compliance date from 6-24-15 to 7-29-15**

**Count 1:** Building permits are required prior to construction of the addition. **Count 2:** Constructed an addition on the side of the structure in the setbacks without a building permit.

Legislative History

4/29/15	Code Compliance Hearing	Continuance
5/27/15	Code Compliance Hearing	Continuance
7/29/15	Code Compliance Hearing	Continuance
9/30/15	Code Compliance Hearing	Continuance

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**Case # 15-1303**

Richard Johnson, MD  
 Joseph Faber, R/A  
 428 Greene Street  
 Sec. 110-292 Failure to achieve  
 Officer Barbara Meizis  
 Certified Service:  
 Initial Hearing: 10-21-2015

**Continue to November 18, 2015 for service**

**Count 1:** The property owner does not agree with the findings of the Tree Commission.

Liens

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**Case # 09-1288**

Richard & Deborah Bird  
 1316 Whalton Street  
 Certified Service 9-18-2015

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**Case # 14-1821**

Janice Isherwood  
523 Elizabeth Street  
Certified Service:

**Continue to November 18, 2015 for service**

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**Case # 15-283**

Wells Fargo Bank  
3500 Flagler Avenue  
Certified Service: 10-9-2015

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**Case # 15-616**

James Merkel  
Nari Nari  
Mola Mola  
202 William Street  
Certified Service:

**Continue to November 18, 2015 for service**

**HARC Appeals**

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**SMA 15-02**

Far Niente, LLC, a Minnesota Limited Liability Company; Eric Detwiler and Elizabeth Ford; Walter S Szot and Dawn Szot; David M Keller and Janine C Keller; G.C.J., LLC, a Florida Limited Liability Company; LANDTRUST #426 KW dated 2/11/2010; DUCK AND DOLPHIN ANTIQUES, LLC, a Florida Limited Liability Company; CONCH REPUBLIC CYCLE, LLC, a Florida Limited Liability Company; and BIKE FIT KEY WEST, INC., a Florida Corporation  
c/o The Smith Law Firm  
616 Eaton Street  
H15-01-0842

**Adjournment**