



# 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, August 31, 2016

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 # 15-794**

Edwin O Swift

Historic Tours of America

809 Terry Lane

Sec. 14-40 Permits in historic districts

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

Officer Bonnita Badgett

Certified Service: 8-11-2015

Initial Hearing: 9-30-2015

**Continuance granted to October 19, 2016**

**Count 1:** For failure to obtain a certificate of appropriateness for the fence and gate. **Count 2:** For failure to obtain a building permit for the fence and gate.

**Legislative History**

9/30/15	Code Compliance Hearing	Continuance
11/18/15	Code Compliance Hearing	Continuance
1/27/16	Code Compliance Hearing	Continuance
2/24/16	Code Compliance Hearing	Continuance
3/30/16	Code Compliance Hearing	Continuance
5/25/16	Code Compliance Hearing	Continuance
6/29/16	Code Compliance Hearing	Continuance

**2****Case # 16-899**

Discount Dumpsters &amp; Demolition

Daniel B Michie

1116 Packer Street

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

Sec. 62-3 Schedule of right of way permit fees

Officer Bonnita Badgett

Certified Service: 7-25-2016

Initial Hearing: 8-31-2016

**In compliance July 15, 2016, request dismissal**

**Count 1:** A business tax receipt is required to do business in the City of Key West. **Count 2:** A dumpster permit is required to place a dumpster on the city right of way.

**3****Case # 16-905**

Discount Dumpsters &amp; Demolition

Daniel B Michie

726 Poorhouse Lane

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

Officer Bonnita Badgett

Certified Service: 7-25-2016

Initial Hearing: 8-31-2016

**In compliance July 15, 2016, request dismissal**

**Count 1:** A business tax receipt is required to do business in the City of Key West.

4

**Case # 15-1327**

Far Niente, LLC  
 Jack Spottswood, Registered Agent  
 416 Elizabeth 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: 2-18-2016  
 Initial Hearing: 3-30-2016

**Continued from July 27, 2016 for compliance**

**Count 1:** A fence in excess of 8' in height was built on the side and rear of the subject property without benefit of a building permit. **Count 2:** A fence in excess of 8' in height was built on the side and rear of the subject property without benefit of a certificate of appropriateness.

Legislative History

3/30/16	Code Compliance Hearing	Continuance
4/27/16	Code Compliance Hearing	Continuance
5/25/16	Code Compliance Hearing	Continuance
6/29/16	Code Compliance Hearing	Continuance
7/27/16	Code Compliance Hearing	Continuance

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**Case # 16-260**

Michael J. McMahon  
 Blanche Stapleton  
 28 Seaside South Court  
 Sec. 18-601 - License required  
 Sec. 122-1371 Transient living accommodations in residential dwellings;  
 regulations  
 Officer Peg Corbett  
 Posted: 7-16-2016  
 Initial Hearing: 7-27-2016

**In compliance August 15, 2016, request Finding of Violation without fees or fine**

**Count 1:** Being held out/advertised for short term rental on AIRBNB without license. Notice of code violation was not accepted and property was posted on 31st day of May 2016. **Count 2:** Being held out/advertised without the property licensing and vetting by the city, state and county and without the required medallion. Does not have required fire inspection by the city of Key West Fire Department.

Legislative History

7/27/16	Code Compliance Hearing	Continuance
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6

**Case # 16-513**

Norbert & Anne Fischer  
3625 Seaside Drive 409  
Sec. 66-102 Dates due and delinquent; penalties  
Sec. 122-1371 Transient living accommodations in residential dwelling;  
regulations  
Officer Peg Corbett  
Certified Service: 6-3-2016  
Initial Hearing: 7-27-2016

**In compliance August 16, 2016, request dismissal**

**Count 1:** Transient medallion expired on 30 Sept 2015. **Count 2:**  
Expired transient medallion which was withheld at renewal due to no  
state licensing. Yearly fire inspection is required.

Legislative History

7/27/16            Code Compliance Hearing            Continuance

7

**Case # 16-570**

Jane Fenwick-Goodwin  
1124 Margaret Street  
Sec. 66-102 Dates due and delinquent; penalties  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Posted: 6-9-2016  
Initial Hearing: 7-27-2016

**Continued from July 27, 2016 for compliance**

**Count 1:** Failure to renew medallion and transient license which  
expired 30 Sept 2015. **Count 2:** Failure to renew and transfer  
medallion and license to new owner after completion of requirements  
within the city ordinance.

Legislative History

7/27/16            Code Compliance Hearing            Violation Fine

8

**Case # 16-574**

Charles B Hoffman  
1420 Whalton Street  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Certified Service: 5-18-2016 - Notice of Hearing  
Certified Service: 7-23-2016 - Amended Notice of Hearing  
Initial Hearing: 7-27-2016

**Repeat Violation****Continued from July 27, 2016**

**Count 1:** Being held out for short term rental on TripAdvisor & FlipKey web sites without appropriate license. Previously cited and found in violation for same activity - Case #16-219. **Count 2:** Transiently renting and advertising without the proper vetting for state, county and city licensing and the requisite medallion.

**Legislative History**

7/27/16 Code Compliance Hearing Continuance

9

**Case # 16-579**

Left Shore LLC  
Carol Pallen - Registered Agent  
3910 South Roosevelt Boulevard S207  
Sec. 18-601 License Required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Certified Service: 8-4-2016  
Initial Hearing: 8-31-2016

**In compliance July 22, 2016, request Finding of Violation without fees or fines**

**Count 1:** Being held out/advertising on AIRBNB for short term rental without a business tax receipt. **Count 2:** Being rented short term without requisite city, state and county licensing. Has had no fire inspection. Has no medallion.

**Legislative History**

7/27/16 Code Compliance Hearing Continuance

10

**Case # 16-778**

Maria Novak  
3920 S Roosevelt Blvd N308  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Certified Service:  
Initial Hearing: 8-31-2016

**In compliance August 15, 2016, request dismissal**

**Count 1:** For holding out/advertising for short term rentals without a business tax receipt. On 9 June 2016 she offered her apartment for 19 July 2016 through 28 July 2016 for \$1,498 via the online website AIRBNB. **Count 2:** For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion.

11

**Case # 16-793**

Ronald Kaisen  
1211 Catherine Street  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulation  
Officer Peg Corbett  
Posted: 7-8-2016  
Initial Hearing: 8-31-2016

**Settlement Agreement**

**Count 1 & 2:** Being held out/advertised for short term rental on AIRBNB and VRBO without obtaining a license. Two previous cases where findings of violation were issued. Entered into a settlement agreement in both cases. **Count 3 & 4:** Failure to provide city, state and county licensing. Does not have transient medallion and has not had a fire inspection. Repeat violations.

**Legislative History**

7/27/16      Code Compliance Hearing      Continuance

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**Case # 16-823**

June K Waage  
921 Whitehead Street  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Certified Service:  
Initial Hearing: 7-27-2016

**Settlement Agreement**

**Count 1:** Being held out/advertising on VRBO for short term rental without business tax receipt. Repeat violation - Ms. Waage signed a settlement agreement 17 Dec 2014 wherein she agreed to cease this activity - Case # 14-1489. **Count 2:** Being transiently rented without proper city, state and county licensing. Does not have transient medallion or yearly fire inspection. Repeat violation

Legislative History

7/27/16 Code Compliance Hearing Continuance

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**Case # 16-908**

DGK Key West, LLC  
Genevieve Degroot - Registered Agent  
1320 Seminary Street  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Certified Service: 7-16-2016  
Initial Hearing: 8-31-2016

**In compliance August 11, 2016, request Finding of Violation without fees or fines**

**Count 1:** For holding out/advertising for short term rentals without a business tax receipt. The city reserved the unit for 8 Aug 2016 through 11 Aug 2016 for a total of \$431. **Count 2:** For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion.

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**Case # 16-942**

Ronald Kaisen  
1211 Catherine Street  
Sec. 18-601 License Required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Certified Service:  
Initial Hearing: 8-31-2016

**Settlement Agreement**

**Count 1:** For holding out/advertising for short term rentals without a business tax receipt. **Count 2:** For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion. **Counts 3 - 9: Sec. 122-1371 (d) 9:** On 13 June 2016, City was able to request a reservation on VRBO for seven night beginning 20 Aug 2016 for \$3,568.75. The property is not permitted for transient rentals.

15

**Case # 16-976**

Charles B Hoffman  
1420 Whalton Street Unit 1  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Certified Service: 7-25-2016  
Initial Hearing: 8-31-2016

**Repeat Violation****New Case**

**Count 1:** For holding out/advertising for short term rentals without a business tax receipt. Mr. Hoffman was previously charged and found in violation, 16-219. **Count 2:** For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion. **Counts 3-9: Sec. 122-1371 (d) 9:** Property is being held out/advertised on AIRBNB. City reserved Poolside Private Room for the dates of 3 Sept 2016 through 10 Sept 2016 for \$1,150 (7 nights) contrary to this ordinance.



16

**Case # 16-977**

Charles B Hoffman  
1420 Whalton Street Unit 2  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Certified Service: 7-23-2016  
Initial Hearing: 8-31-2016

**Repeat Violation****New Case**

**Count 1:** For holding out/advertising for short term rentals without a business tax receipt. Mr. Hoffman was previously charged and found in violation, 16-219. **Count 2:** For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion. **Counts 3-9: Sec. 122-1371 (d) 9:** Property is being held out/advertised on AIRBNB. City reserved Poolside Private Room for the dates of 19 Sept 2016 through 24 Sept 2016 for \$866 (5nights) contrary to this ordinance.

17

**Case # 16-978**

Charles B Hoffman  
1420 Whalton Street Unit 3  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Certified Service: 7-23-2016  
Initial Hearing: 8-31-2016

**Repeat Violation****New Case**

**Count 1:** For holding out/advertising for short term rentals without a business tax receipt. Mr. Hoffman was previously charged and found in violation, 16-219. **Count 2:** For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion. **Counts 3-9: Sec. 122-1371 (d) 9:** Property is being held out/advertised on AIRBNB. City reserved Luxury Private Studio for the dates of 25 Sept 2016 through 30 Sept 2016 for \$925 (5 nights) contrary to this ordinance.

18

**Case # 16-1032**

Maria Novak  
3920 S Roosevelt Boulevard N308  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Cedrtified Service:  
Initial Hearing: 8-31-2016

**In compliance August 15, 2016, request dismissal**

**Count 1:** For holding out/advertising for short term rentals on www.flipkey.com without a business tax receipt. **Count 2:** For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion. **Counts 3 - 8: Sec. 122-1371 (d) 9:** For holding out/advertising for short term rentals when it is not permitted. City reserved the dates of 15 Aug 2016 through 21 Aug 2016 (6 nights) for \$1,540.

19

**Case # 16-1039**

Laurie Henderson  
3910 S Roosevelt Boulevard W201  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Certified Service:  
Initial Hearing: 8-31-2016

**In compliance August 11, 2016, request dismissal**

**Count 1:** For holding out/advertising for short term rentals without a business tax receipt. Ms. Henderson has 6 reported rentals for the month of July. City reserved the dates of 15 Aug 2016 through 19 Aug 2016 (4 nights) for \$129 per night via AIRBNB. **Count 2:** For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion. **Counts 3 - 6: Sec. 122-1371 (d) 9:** For holding out/advertising for short term rentals without the required transient license.

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**Case # 16-1129**

Key Cove Landing LLC

Christopher Belland - Registered Agent

10 Key Cove Drive

Sec. 18-601 License required

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

Officer Peg Corbett

Certified Service: 8-12-2016

Initial Hearing: 8-31-2016

**Continuance was granted to October 19, 2016****Repeat Violation**

**Count 1:** For holding out/advertising for short term rentals on **VRBO** without a business tax receipt. City reserved the dates of 17 Sept 2016 through 23 Sept 2016 (6 nights) for \$4,035.60. **Count 2:** For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion. **Counts 3 - 8: Sec. 122-1371 (d) 9:** For holding out/advertising for short term rentals when it is not permitted. Previous case was 15-249 where Mr. Belland signed a Settlement Agreement.

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**Case # 16-1130**

Key Cove Landing LLC

Christopher Belland - Registered Agent

10 Key Cove Drive

Sec. 18-601 License required

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

Officer Peg Corbett

Certified Service: 8-12-2016

Initial Hearing: 8-31-2016

**Continuance was granted to October 19, 2016****Repeat Violation**

**Count 1:** For holding out/advertising for short term rentals on **www.homeaway.com** without a business tax receipt. City reserved the dates of 17 Sept 2016 through 23 Sept 2016 (6 nights) for \$4,035.60.

**Count 2:** For holding out/advertising for short term rentals without the requisite state and county licenses, fire inspection and medallion.

**Counts 3 - 8: Sec. 122-1371 (d) 9:** For holding out/advertising for short term rentals when it is not permitted. Previous case was 15-249 where Mr. Belland signed a Settlement Agreement.

22

**Case # 16-1167**

Key Cove Landing LLC

Christopher Belland - Registered Agent

4 Key Cove Drive

Sec. 18-601 License Required

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

Officer Peg Corbett

Certified Service: 8-16-2016

Initial Hearing: 8-31-2016

**Continuance was granted to October 19, 2016****Repeat Violation**

**Count 1:** Being held out/advertised on VRBO for short term rental without the required business tax receipt. City reserved the dates of 17-Sept 2016 through 23 Sept 2016 for \$3,979.35. Mr. Belland was previously cited for the same charge and signed a Settlement Agreement for case number 15-249. **Count 2:** The property is being held out/advertised for short term rental without the requisite city, county and state licensing. The property does not have a transient medallion and has not been inspected by the Fire Department. **Counts 3 - 8: Sec. 122-1371 (d) 9:** The property is being held out/advertised for short term rental for six nights beginning 17 Sept 2016 for \$3,979.35 without the benefit of a transient license.

23

**Case # 16-1169**

Key Cove Landings LLC  
Christopher Belland - Registered Agent  
4 Key Cove Drive  
Sec. 18-601 License Required  
Sec. 122-1371 Transient living accommodations in residential dwellings;  
regulations  
Officer Peg Corbett  
Certified Service: 8-16-2016  
Initial Hearing: 8-31-2016

**Continuance was granted to October 19, 2016****Repeat Violation**

**Count 1:** Being held out/advertised on www.homeaway.com for short term rental without the required business tax receipt. City reserved the dates of 17- Sept 2016 through 23 Sept 2016 for \$4,016.35. The property is advertised with a four night minimum. Mr. Belland was previously cited for the same charge and signed a Settlement Agreement for case number 15-249. **Count 2:** The property is being held out/advertised for short term rental without the requisite city, county and state licensing. The property does not have a transient medallion and has not been inspected by the Fire Department. **Counts 3 - 8: Sec. 122-1371 (d) 9:** The property is being held out/advertised for short term rental for six nights beginning 17 Sept 2016 for \$4,016.35 without the benefit of a transient license.

24

**Case # 16-532**

Truman Books & Video  
Ms. Terry G. Galardi - Business Owner  
Ms. Patricia Burnside - Register Agent  
Mr. Michael L. Browning Trust 6.28.91 - Property Owner  
922 Truman Avenue  
Sec. 14-40 Permits in historic districts  
Officer Leonardo Hernandez  
Certified Service: 6-21-2016 - Business Owner  
Certified Service: 6-22-2016 - Registered Agent  
Initial Hearing: 7-27-2016

**Continued from July 27, 2016**

**Count 1:** For failure to obtain a certificate of appropriateness for exterior painting

**Legislative History**

7/27/16 Code Compliance Hearing Continuance

25

**Case # 16-774**

Elsa M Diaz

Mortgage Contracting Services

1523 Seminary Street

Sec. 26-126 Clearing of property of debris and noxious material required

Officer Leonardo Hernandez

Certified Service: 7-14-2016 - Mortgage Contracting

Posted: 7-18-2016 - Diaz

Initial Hearing: 8-31-2016

**New Case - Request Finding of Violation with fees and no fines at this time**

**Count 1:** There is overgrowth, foul odors, yard waste and a discarded refrigerator/freezer on the front lawn.

26

**Case # 16-802**

Sai Chhaya Properties LLC - Registered Agent

Yogesh Jagasia Ramish - Property Owner

3701 Pearlman Terrace

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

Officer Leonardo Hernandez

Certified Service: 8-22-2016 - Property Owner

Certified Service: 8-26-2016 - Registered Agent

Initial Hearing: 8-31-2016

**In compliance June 30, 2016, request dismissal**

**Count 1:** A business tax receipt is required to rent this property non-transiently.

27

**Case # 16-158**

Charles Sonny McCoy Rev Trust  
88 Hilton Haven Drive  
Sec. 26-126 Clearing of property of debris and noxious material required  
Officer Beau Langford  
Certified Service: 8-10-2016  
Initial Hearing: 8-31-2016

**New Case - Request Finding of Violation with fees and no fines at this time**

**Count 1:** For failure to remove/have removed the bee hive that is in the roof. The bees are swarming.

28

**Case # 16-265**

Key West Yoga Sanctuary LLC - **In compliance**  
Ronald A Barker, registered agent  
The Green Pineapple LLC - **In compliance**  
Deborah Lippi, registered agent  
Date & Thyme LLC  
Charlotte Wilson, registered agent  
1130 Duval Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **In compliance**  
Sec. 14-40 Permits in historic districts - **In compliance**  
Sec. 2-939 Licenses  
Sec. 66-87 Business tax receipt required for all holdings themselves out  
to be engaged in business - **Date & Thyme LLC only**  
Officer Beau Langford  
Certified Service: 5-11-2016 - Key West Yoga  
Certified Service: 5-11-2016 - The Green Pineapple  
Certified Service: 5-10-2016 - Date & Thyme  
Initial Hearing: 6-29-2016

**In compliance August 30, 2016, request dismissal**

**Count 1:** For failure to obtain building permits for the signs hanging from the awning for the three businesses. **Count 2:** For failure to obtain a certificate of appropriateness for the signs hanging from the awning for the three businesses. **Count 3:** For failure to obtain a revocable license for the signs hanging from the awning for the three businesses. **Count 4:** For failure to transfer the business tax receipt to 1130 Duval Street - Date & Thyme only.

**Legislative History**

6/29/16

Code Compliance Hearing

Continuance



29

**Case # 16-870**

Tawlaw, LLC  
Christian Cruz - Registered Agent  
1016 Duval Street  
Sec. 58-31 Container and receptacle requirements  
Officer Beau Langford  
Certified Service: 7-20-2016  
Initial Hearing: 8-31-2016

**Continuance granted to September 28, 2016****Repeat Violation**

**Count 1:** For storing trash bins on the city right of way.

30

**Case # 16-900**

EGJL KW, LLC  
Jeffrey Barefoot Lamm - Registered Agent  
810 Florida Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-40 Permits in historic districts - **Counts 2 - 4**  
Officer Beau Langford  
Certified Service: 7-25-2016  
Initial Hearing: 8-31-2016

**In compliance August 24, 2016, request dismissal**

**Count 1:** For failure to obtain a building permit prior to the construction of the fence. **Count 2:** For failure to obtain a certificate of appropriateness prior to the construction of the fence. **Count 3:** For failure to obtain a certificate of appropriateness for the lattice skirting that was attached to the bottom of the house. **Count 4:** For failure to obtain a certificate of appropriateness for the lattice that was attached to the bottom of the fence between 810 Florida Street and 826 Florida Street.

31

**Case # 16-928**

Victoria McFayden  
1610 South Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Beau Langford  
Certified Service: 7-21-2016  
Initial Hearing: 8-31-2016

**In compliance July 15, 2016, request dismissal**

**Count 1:** The business tax receipt to rent this property non-transiently has been delinquent since 30 Sept 2015.

32

**Case # 16-929**

Paul S Mills, CPA  
1541 5th Street  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Beau Langford  
Certified Service: 7-21-2016  
Initial Hearing: 8-31-2016

**Repeat Violation - Request Finding of Violation with fees and fines  
New Case**

**Count 1:** The business tax receipt for Paul S Mills, CPA has been delinquent since 30 Sept 2015.

33

**Case # 16-930**

Russel Monuments  
2929 Airport Boulevard  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Beau Langford  
Certified Service:  
Initial Hearing: 8-31-2016

**In compliance August 24, 2016, request dismissal**

**Count 1:** The business tax receipt for Russel Monuments has been delinquent since 30 Sept 2015.

34

**Case # 16-932**

Tim & Lynn Gallagher  
3122 Riviera Drive  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Beau Langford  
Certified Service: 7-20-2016  
Initial Hearing: 8-31-2016

**In compliance July 21, 2016, request Finding of Violation without fees or fines**

**Count 1:** The business tax receipt to rent this property non-transiently was delinquent since 30 Sept 2015.

35

**Case # 16-934**

Visible Difference Hair & Nail  
918 Kennedy Drive A  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Beau Langford  
Certified Service: 7-20-2016  
Initial Hearing: 8-31-2016

**In compliance August 23, 2016, request Finding of Violation without fees or fines**

**Count 1:** The business tax receipt for Visible Difference Hair & Nail has been delinquent since 30 Sept 2015

36

**Case # 16-941**

Richard Watherwax Photography  
Sole Proprietor  
719 Windsor Lane A  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Beau Langford  
Hand Served: 8-12-2016  
Initial Hearing: 8-31-2016

**Repeat Violation - Request Finding of Violation with fees and fines  
New Case**

**Count 1:** The business tax receipt for Richard Watherwax Photography has been delinquent since 30 Sept 2015.

37

**Case # 16-970**

Island Advertising & Printing  
1107 Truman Avenue  
Sec. 66-102 Dates due and delinquent; penalties  
Officer Beau Langford  
Certified Service:  
Initial Hearing: 8-31-2016

**In compliance August 12, 2016, request dismissal**

**Count 1:** The business tax receipt for Island Advertising & Printing has been delinquent since 30 Sept 2015.

38

**Case # 16-974**

James E & Laura D Thornbrugh  
2014 Roosevelt Drive  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Beau Langford  
Certified Service: 7-25-2016  
Initial Hearing: 8-31-2016

**In compliance August 12, 2016, request Finding of Violation with fees and fines**

**Count 1:** A business tax receipt is required to rent this property non-transiently.

39

**Case # 16-727**

Whammy Key LLC  
Alfred Phillips - Registered Agent  
903 Duval Street  
Sec. 26-192 Unreasonably excessive noise prohibited  
Officer Jorge Lopez  
Certified Service: 6-30-2016  
Initial Hearing: 7-27-2016

**Continued from July 27, 2016**

**Count 1:** Was given warning with a DBC of 86.9 on 6/3/16. Received another complaint, conducted a second reading on 6/25/16 with a DBC of 81.1 and was found in violation.

**Legislative History**

7/27/16

Code Compliance Hearing

Continuance

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**Case # 16-766**

Adnan S Khan & Catherine B Dela Cruz  
905 White Street 1

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

Sec. 14-40 Permits in historic districts

Officer Jorge Lopez

Certified Service: 7-14-2016

Initial Hearing: 7-27-2016

**In compliance August 24, 2016, request dismissal**

**Count 1:** Failure to apply for and obtain required permits and inspections for fence. **Count 2:** Failure to obtain Certificate of Appropriateness for fence.

Legislative History

7/27/16            Code Compliance Hearing            Continuance

41

**Case # 16-768**

Townsend A Vanfleet

905 White Street 2

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

Sec. 14-40 permits in historic districts.

Officer Jorge Lopez

Certified Service: 7-11-2016

Initial Hearing: 7-27-2016

**In compliance August 24, 2016, request dismissal**

**Count 1:** Failure to apply for and obtain required permits and inspections for fence. **Count 2:** Failure to obtain Certificate of Appropriateness for fence.

Legislative History

7/27/16            Code Compliance Hearing            Continuance

42

**Case # 16-769**

Alan Eckstein  
905 White Street 3  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-40 Permits in the historic districts  
Officer Jorge Lopez  
Certified Service: 7-8-2016  
Initial Hearing: 7-27-2016

**In compliance August 24, 2016, request dismissal**

**Count 1:** Failure to apply for and obtain required permits and inspections for fence. **Count 2:** Failure to obtain Certificate of Appropriateness for fence.

Legislative History

7/27/16            Code Compliance Hearing            Continuance

43

**Case # 16-770**

Patricia Frost  
907 White Street 4  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-40 permits in historic districts  
Officer Jorge Lopez  
Certified Service: 7-8-2016  
Initial Hearing: 7-27-2016

**In compliance August 24, 2016, request dismissal**

**Count 1:** Failure to apply for and obtain required permits and inspections for fence. **Count 2:** Failure to obtain Certificate of Appropriateness for fence.

Legislative History

7/27/16            Code Compliance Hearing            Continuance

44

**Case # 16-771**

James & Stephanie M Keegan  
907 White Street 5  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-40 Permits in historic districts  
Officer Jorge Lopez  
Certified Service:  
Initial Hearing: 7-27-2016

**In compliance August 24, 2016, request dismissal**

**Count 1:** Failure to apply for and obtain required permits and inspections for fence. **Count 2:** Failure to obtain Certificate of Appropriateness for fence.

Legislative History

7/27/16            Code Compliance Hearing            Continuance

45

**Case # 13-57**

KWSC, Inc.  
DBA Adult Entertainment Club  
Yuliya Andrews, President  
Robert Goldman, P.A.  
210 Duval Street  
Sec. 18-415 Restrictions in the historic districts  
Sec. 18-441 Required  
Officer Jim Young  
Certified Service: 7-11-2016 - Robert Goldman, P.A.  
Initial Hearing: 1-30-2013

**Irreparable Violation****Repeat Violation****Continued from July 27, 2016**

**Count 1:** Off premise canvassing on Duval Street which is prohibited.  
**Count 2:** Failure to obtain off premise canvassing license.

Legislative History

7/27/16            Code Compliance Hearing            Continuance

46

**Case # 13-1011**

David &amp; Marjorie A Rodriguez

1819 Venetia Street

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

Sec. 90-363 Certificate of occupancy required

Officer Jim Young

Certified Service: 6-18-2016

Initial Hearing: 7-27-2016

**Continuance granted to September 28, 2016**

**Count 1:** This property is being rented without the benefit of a non-transient business tax receipt. **Count 2:** This property has not been issued a certificate of occupancy.

Legislative History

7/27/16 Code Compliance Hearing Continuance

47

**Case # 13-1012**

David &amp; Marjorie A. Rodriguez

1823 Venetia Street

Sec. 66-87 Business tax receipt required

Sec. 90-363 Certificate of occupancy required

Officer Jim Young

Certified Service: 6-18-2016

Initial Hearing: 7-27-2016

**Continuance granted to September 28, 2016**

**Count 1:** This property is being rented without the benefit of a non-transient business tax receipt. **Count 2:** There is no certificate of occupancy for the subject property.

Legislative History

7/27/16 Code Compliance Hearing Continuance



48

**Case # 09-1501**

Wells Fargo Bank, NA  
 c/o Select Portfolio Servicing  
 Choice Legal Group PA  
 908 Trinity Drive 4  
 Sec. 14-37 Building permits, professional plans, display of permits  
 Officer Jim Young  
 Certified Service: 7-29-2016 - Select Portfolio Servicing  
 Certified Service: 7-28-2016 - Choice Legal Group  
 Initial Hearing: 3-30-2016

**Continuance granted to September 28, 2016**

**FYI:** On May 10, 2011, Planning Department received a variance request for an after the fact accessory unit which was constructed without building permits or a Certificate of Occupancy. The variance request was for building coverage, impervious surface ratio, and side and rear yard setback requirements. The variance was denied at the Planning Board Hearing of July 21, 2011. The Planning Board Resolution 2011-036 went into effect on August 2, 2011. There was no appeal to the City Commission.

The construction of the accessory unit, if a permit was submitted, would not have been approved for the above reasons. This accessory unit must be demolished to bring this property into compliance.

**Count 1:** An exterior unit was built in the rear yard setback without benefit of a building permit and inspections. **Count 2:** An interior unit was built on the second floor using part of the rear open deck and a stairway was built to access this unit.

**Legislative History**

3/30/16	Code Compliance Hearing	Continuance
5/25/16	Code Compliance Hearing	Continuance
7/27/16	Code Compliance Hearing	Continuance

49

**Case # 16-562**

Overseas Radio, LLC  
Guy deBoer, Registered Agent  
Neil Willets, MGRM  
City's Right of way, Duval Corridor  
Sec. 106-56 Use of Streets and Sidewalks  
Officer Jim Young  
Posted: 5-20-2016  
Initial Hearing: 7-27-2016

**In compliance August 22, 2016, request dismissal**

**Counts 1 through 42:** Unlawful to use city right of way for advertising or display purposes as provided in subpart B. Forty-two repeat violations.

Legislative History

7/27/16            Code Compliance Hearing            Continuance

**Liens**

50

**Case # 16-1033**

Tina Marie Godfrey  
Fogarty Avenue & 3rd Street  
Sec. 42-1 (c) Offenses under state law  
Certified Service:

**Request continuance to September 28, 2016 for service****HARC Appeals**

51

**SMA 15-02**

Far Niente, LLC  
Eric Detwiler and Elizabeth Ford  
Walter S. Szot and Dawn Szot  
David M. Keller and Janine C. Keller  
G.C.J., LLC  
Land Trust #426KW dated 2/11/2010  
Duck and Dolphin Antiques, LLC  
Conch Republic Cycle, LLC  
Bike Fit Key West, Inc.  
616 Eaton Street

Legislative History

7/27/16            Code Compliance Hearing            Continuance

**Mitigations**

**52**

**Case # 16-690**  
Kenneth J Michels  
1312 4th Street  
a.k.a. 2203 Harris Avenue

**Adjournment**