



# 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 19, 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 # 15-837**

Fred V & Eileen A Redmond  
3314 Northside Drive 16  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Sec. 90-365 Violations and penalties  
Officer Bonnita Badgett  
Certified Service: 12-10-2015  
Initial Hearing: 12-16-2015

**Continued from May 25, 2016**

**Count 1:** Each rental unit requires a business tax receipt to rent non-transiently. **Count 2:** The second unit needs to be legalized as a residential unit.

Legislative History

12/16/15	Code Compliance Hearing	Continuance
1/27/16	Code Compliance Hearing	Continuance
3/30/16	Code Compliance Hearing	Continuance
5/25/16	Code Compliance Hearing	Continuance

2

**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

**Continued from August 31, 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.

Legislative History

8/31/16

Code Compliance Hearing

Continuance

3

**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

**Continued from August 31, 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.

**Legislative History**

8/31/16

Code Compliance Hearing

Continuance

4

**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

**Continued from August 31, 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.

**Legislative History**

8/31/16

Code Compliance Hearing

Continuance

5

**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

**Continued from August 31, 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.

Legislative History

8/31/16

Code Compliance Hearing

Continuance

6

**Case # 16-1303**

Blanche Stapleton

Michael McMahon

28 Seaside South Court

Sec. 18-601 License Required - **Repeat Violation**

Sec. 122-1371 Transient living accommodations in residential dwellings

- **Count 2 - Repeat Violation**

Sec. 122-1371 Transient living accommodations in residential dwellings

- **Counts 3 - 9 - Repeat Violation**

Officer Peg Corbett

Certified Service:

Initial Hearing: 9-28-2016

**Continued from September 28, 2016**

**Count 1:** On 12 Sept 2016 the respondent advertised the property for short term rental on AIRBNB contrary to Sec. 18-602 (2), creating a rebuttable presumption of a violation of Sec. 18-601. On 31 Aug 2016 the Special Magistrate signed findings and order finding this property owner in violation, ase # 16-260. **Count 2:** The property owner is holding out/advertising for short term rental without the requisite city, county and state licensing nor does it have the required transient rental medallion or had a fire inspection. **Counts 3 - 9:** The subject property is being held out/advertising for short term rental for seven nights beginning 6 Oct 2016 for \$1353.00 without the benefit of a transient rental license.

**Legislative History**

9/28/16

Code Compliance Hearing

Continuance

7

**Case # 16-1363**

Juan Carlos Rodriguez  
 2305 Patterson Avenue  
 Sec. 14-37 Building permits; professional plans; display of permits;  
 address; exception  
 Sec. 14-262 Requests for inspection; required  
 Officer Scott Fraser  
 Hand Served: 10-6-2016  
 Initial Hearing: 10-19-2016

**New Case**

**Count 1:** Respondent did install electrical wiring, electrical outlets, junction boxes and an electrical breaker box without benefit of the required electrical permits. **Count 2:** Respondent did energize electrical wiring, electrical outlets, junction boxes and a breaker box absent the required safety inspections contrary to law and the safety of the general public.

8

**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 August 31, 2016**

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

**Legislative History**

7/27/16	Code Compliance Hearing	Continuance
8/31/16	Code Compliance Hearing	Continuance

9

**Case # 16-1353**

Key West Mopeds  
D & R of Key West, Inc.  
Ronald A Barker - Registered Agent  
3340 N Roosevelt Blvd #6  
F.S. 553.5041 Parking spaces for persons who have disabilities  
Officer Hernandez  
Certified Service: 9-28-2016  
Initial Hearing: 10-19-2016

**New Case**

**Count 1:** A building permit was obtained to repave the parking lot which required two handicap parking spaces. Only one was there and it was blocked by multiple scooters and bicycles.

10

**Case # 16-342**

Little Room Jazz Club LLC  
Wayne L Smith, registered agent  
821 Duval Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-40 Permits in historic districts  
Officer Beau Langford  
Certified Service: 5-12-2016  
Initial Hearing: 6-29-2016

**Continued from June 29, 2016**

**Count 1:** There are 3 signs at this location and only approved for 2. The pole sign was to be removed per building permit 15-00001766. **Count 2:** There are 3 signs at this location and only approved for 2. The pole sign was to be removed per HARC permit 15-01000655.

**Legislative History**

6/29/16      Code Compliance Hearing      Continuance



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**Case # 16-1226**

Peter &amp; Dixie Janker

417 United Street

Sec. 14-40 Permits in historic districts

Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions - **Repeat Violation**Sec. 14-40 Permits in historic districts - **Repeat Violation**

Officer Beau Langford

Certified Service: 9-3-2016

Initial Hearing: 9-28-2016

**Continued from September 28, 2016**

**Count 1:** Failure to apply and obtain an after-the-fact HARC Certificate of Appropriateness for painting. **Count 2:** Failure to apply and obtain proper permit for spiral staircase. **Count 3:** Failure to apply and obtain a HARC Certificate of Appropriateness for the spiral staircase.

Legislative History

9/28/16

Code Compliance Hearing

Continuance

12

**Case # 16-1348**

Nichol &amp; Francis J Gonzon

1002 Fleming Street

Sec. 62-2 Obstructions

Officer Beau Langford

Certified Service: 9-26-2016

Initial Hearing: 10-19-2016

**In compliance October 4, 2016, request Finding of Violation without fees or fines**

**Count 1:** There is a pile of tree debris on the Grinnell Street side of this property. There are two previous cases within the last two years for the same violation.

13

**Case # 16-1352**

Salsa Loca  
 Nancy Mayhew  
 618 Duval Street  
 Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
 Officer Beau Langford  
 Certified Service: 9-27-2016  
 Initial Hearing: 10-19-2016

**New Case**

**Count 1:** For failure to obtain a business tax receipt for the restaurant. Advertised on Facebook for opening September 17, 2016 and visited the property and it is open.

14

**Case # 16-634**

Peter N Brawn  
 B-B Registries, LLC - Registered Agent  
 525 Caroline Street  
 Sec. 14-37 Building permits; professional plans; display of permits; address; exceptions  
 Sec. 14-40 Permits in historic districts  
 Sec. 14-262 Requests for inspection  
 Officer Jorge Lopez  
 Certified Service: 6-17-2016 - Registered Agent  
 Initial Hearing: 7-27-2016

**Continued from September 28, 2016**

**Count 1:** For failure to obtain building permit for installation of bathtub and toilet. **Count 2:** For failure to obtain a certificate of appropriateness to do siding replacement, deck repairs and installation of exterior door. **Count 3:** Must request inspection for electrical work as soon as job is ready

**Legislative History**

7/27/16	Code Compliance Hearing	Continuance
9/28/16	Code Compliance Hearing	Continuance

15

**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 September 28, 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
8/31/16	Code Compliance Hearing	Continuance
9/28/16	Code Compliance Hearing	Continuance

16

**Case # 16-939**

R R Beason Jr Trust 12/18/2000  
1603 Von Phister Street  
Sec. 14-37 Building permits; professional plans; display of permit;  
address; exception  
Officer Jorge Lopez  
Certified Service: 10-5-2016  
Initial Hearing: 10-19-2016

**New Case**

**Count 1:** For failure to obtain building permits for the interior and exterior renovations.

17

**Case # 16-1262**

ICAMCO, Inc.

Peter Batty - R/A

3314 Northside Drive

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

Officer Jorge Lopez

Certified Service: 9-20-2016

Initial Hearing: 10-19-2016

**New Case**

**Count 1:** The dumpster at this location is overflowing with garbage which smells and is drawing flies.

18

**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

**Continued from 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
8/31/16	Code Compliance Hearing	Continuance
9/28/16	Code Compliance Hearing	Continuance

19

**Case # 16-455**

Donald R Lynch  
820 Carstens Lane  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-40 Permits in historic districts  
Officer Kenneth JW Waite  
Certified Service:  
Initial Hearing: 10-19-2016

**New Case**

**Count 1:** For failure to obtain a building permit for the second story porch. **Count 2:** For failure to obtain a certificate of appropriateness for the satellite dish that was installed.

20

**Case # 16-861**

Interstate Enterprises Group, Inc.  
901 White Street 903  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 14-262 Request for inspection  
Sec. 90-363 Certificate of occupancy - required  
Sec. 58-61 Determination and levy charge  
Sec. 66-87 Business tax receipt required for all holding themselves out  
to be engaged in business  
Officer Kenneth JW Waite  
Certified Service: 9-15-2016  
Initial Hearing: 10-19-2016

**New Case**

**Count 1:** For failure to obtain a building permit for the pool house which contain windows. Original permit was for a shed only without windows. **Count 2:** For failure to obtain an electrical permit/inspection for the window air conditioner that was installed in the pool house. **Count 3:** For failure to obtain a certificate of occupancy. Pool house is being advertised as a rental unit. **Count 4:** The pool house does not have the required utility accounts or legal unit determination. **Count 5:** For failure to obtain a business tax receipt to rent the pool house.

21

**Case # 16-1200**

World Store Inc.

407 Front Street

Sec. 18-193 Custom work permit required; inspection; fee

Sec. 18-195 Requirements of permit holder (2)

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

Sec. 114-103 Prohibited signs (a)(5)

Sec. 19-195 Requirements of permit holder (4)

Officer Kenneth JW Waite

Hand Served: 9-27-2016

Initial Hearing: 10-19-2016

**New Case**

**Count 1:** The business tax receipt for the custom work has not been issued, requires the business to pass the inspection. **Count 2:** Three inspections were conducted and all three times, the decals were not priced. **Count 3:** For failure to obtain a building permit for the henna sign that was secured to the exterior of the building. **Count 4:** The henna sign (plastic) is prohibited in historic districts. **Count 5:** Three inspections were conducted and all three times, the business did not possess the required pre-written statement.

22

**Case # 16-1306**

EO Investments, LLC

Moshe Ozana

218 Duval Street

Sec. 18-415 Restrictions in historic district

Officer Kenneth JW Waite

Hand Served: 9-19-2016

Initial Hearing: 10-19-2016

**Repeat Violation**

**Count 1:** On 13 Sept 2016 while on an area canvass video recorded a male employee was off premises canvassing, handed a sample to a woman while she was walking past the store.

**Liens**

23

**Case # 16-1033**

Tina Marie Godfrey  
Fogarty Avenue & 3rd Street  
Sec. 42-1 (c) Offenses under state law  
Hand Served: 9-1-2016

**Continued from September 28, 2016**

Legislative History

8/31/16	Code Compliance Hearing	Continuance
9/28/16	Code Compliance Hearing	Continuance

**Adjournment**