



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Code Enforcement Hearing

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Thursday, January 22, 2026

1:30 PM

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 305-809-3811 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.**

**Call Meeting to Order**

**Code Violations**

**1**

**Case # 22-328**

712 Eaton St Land Trust

Eaton St Enterprises LLC

Richard M. Klitenick- **Registered Agent**

712 Eaton 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

Officer Erin Buechele

Hand Served: 7-15-2024

Initial Hearing: 7-25-2024

**Continued from 19 November 2025**

**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 a certificate of appropriateness with the City of Key West HARC Department.

The Code Officer was Erin Buechele. Attorney Wayne Smith was present on behalf of the Respondent. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. The subject property will be attending a Planning Board Meeting to obtain a variance. The City plans to pursue a finding and order if the variance is not obtained and or the Respondent does not comply

with the signed settlement agreement. Both Attorney's requested a continuance. The Special Magistrate granted a continuance to 19 March 2026.

**2****Case # 25-1772**

Nicholas & Stephanie Neonakis  
1414 White Street  
Sec. 62-2 Obstructions  
Officer Erin Buechele  
Hand Posted: 1-2-2026  
Initial Hearing: 1-22-2026

**New Case**

**Count 1:** Failure to remove trash bins from the City right of way.

The Code Officer was Erin Buechele. The Respondents did not attend. Officer Buechele read her timeline and evidence was shown. The City requested a finding of the violation \$250.00 administrative cost and \$250.00 per count per day until compliance is met. The Special Magistrate thought that there was substantial evidence for a finding of the violation and imposed \$250.00 administrative cost and \$250.00 per count per day if not in compliance by 24 January 2026 at 5:00PM.

**3****Case # 25-1776**

Thomas Clifford Metcalf  
3540 Eagle Ave  
Sec. 62-2 Obstructions  
Officer Erin Buechele  
Hand Posted: 1-2-2026  
Initial Hearing: 1-22-2026

**New Case**

**Count 1:** Failure to remove trash bins from City right of way.

The Code Officer was Erin Buechele. The Respondent did not attend. Officer Buechele stated that the Respondents came into compliance and requested to dismiss the case. The Special Magistrate granted the dismissal.

**4****Case # 24-1101**

Sandoval Jose Azuaje  
Azuaje Jose Cristobal  
Popp Filip  
Sandoval Fabiola  
3202 Duck Ave  
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 of charge  
Sec. 66-87 Business tax receipt required for all holding themselves out to be engaged in business  
Officer Sophia Doctoche  
Hand Posted: 7-11-2025  
Initial Hearing: 7-31-2025

**In compliance as of 5 January 2026; Request to close case**

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

**Count 2:** Failure to schedule a required inspection with the City of Key West Building Department.

**Count 3:** Failure to apply and obtain a Certificate of Occupancy with the City of Key West Building Department.

**Count 4:** Failure to apply and obtain a LUD with the City of Key West Licensing Department.

**Count 5:** Failure to apply and obtain the appropriate business tax receipt with the City of Key West Licensing Department.

**This case came into compliance as of 5 January 2026. The Special Magistrate granted the dismissal.**

**5**

**Case # 25-1416**

Deninno Martin V.

Deninno Elizabeth J.

808 Virginia Street #5

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

Officer Sophia Doctoche

Hand Posted: 1-2-2026

Initial Hearing: 1-22-2026

**In compliance as of 15 January 2026; Request dismissal**

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

**This case came into compliance as of 15 January 2026. The Special Magistrate granted the dismissal.**

**6**

**Case # 25-992**

Mattress Firm

Corporate System- **Registered Agent**

2716 N Roosevelt Blvd

Sec. 30-1 Fees for false alarms and fire code inspections

Officer Todd Macfarlane  
Certified Mail: 11-17-2025  
Initial Hearing: 12-18-2025

**Continued from 18 December 2025**

**Count 1:** Failure to pay past due fire inspection fees.

The Code Officer was Todd Macfarlane. The Respondent did not attend. Officer Macfarlane stated that this case was presented at the last hearing where the Special Magistrate found the Respondents to be in violation. Officer Macfarlane stated that the Respondent did not come into compliance on the date that he set. The Special Magistrate ordered for the fines to start running from the compliance date 31 December 2025.

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**Case # 25-1671**

John and Melanie Zahner  
1514 5th Street  
Sec. 14-37 Building permits; professional plans; display of permits;  
address; exceptions  
Sec. 58-61 Determination of levy of charge  
Sec. 90-363 Certificate of occupancy, required  
Sec. 18-601 License required  
Sec. 122-1371 Transient living accommodations in residential  
dwellings; regulations  
Sec. 122-1371 D(9) Transient living accommodations in residential  
dwellings; regulations  
Sec. 66-87 Business tax receipt for all holdings themselves out to be  
engaged in business  
Officer Alma Montano  
Certified Mail:  
Initial Hearing: 12-18-2025

**Continued from 18 December 2025**

**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 a LUD with the City of Key West Licensing Department.

**Count 3:** Failure to apply and obtain a Certificate of Occupancy with the City of Key West Building Department.

**Count 4-20:** Failure to obtain a transient medallion and license to advertise and rent short-term.

**Count 21-23:** Failure to obtain all required city, county and state licensing to advertise and rent short-term.

**Count 24-40:** Failure to obtain all required city, county and state licensing to advertise and rent short-term.

**Count 41:** Failure to apply and obtain a license from the City of Key West Licensing Department.

The Code Officer was Alma Montano. The Respondents did not attend. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Assistant City Attorney Waterhouse requested a continuance so that the Chief Building Official can attend. The Special Magistrate granted a continuance to 19 February 2026.

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**Case # CCBLD25-33**

DGK Key West LLC

Henry Degroot III

1320 Seminary Street

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

Sec. 18-117 Acts declared unlawful- **Irreparable**

Sec. 14-40 Permits in historic district

Sec. 58-61 Determination and levy of 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 Alma Montano

Hand Posted: 6-16-2025- **Amended Notice**

Initial Hearing: 5-22-2025

**Continued from 19 November 2025**

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

**Count 2:** Failure to hire a licensed contractor.- **Irreparable**

**Count 3:** Failure to apply and obtain a certificate of appropriateness with the City of Key West HARC Department.

**Count 4:** Failure to apply and obtain a LUD with the City of Key West Planning Department.

**Count 5:** Failure to apply and obtain a Certificate of Occupancy with the City of Key West Building Department.

**Count 6:** Failure to apply and obtain a business tax receipt with the City of Key West Licensing Department.

The Code Officer was Alma Montano. Attorney AJ Davila was present on behalf of the Respondent. Assistant City Attorney Ryan Waterhouse was present on behalf of the City. Both Attorney Davila and Attorney Waterhouse agreed to continuance the case and requested a continuance. The Special Magistrate granted a continuance to 19 February 2026.

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**Case # 25-1678**

Marc Barry

1922 Staples Ave

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- **Irreparable**

Officer Leo Slection

Hand Posted: 1-12-2026

Initial Hearing: 1-22-2026

### **Settlement Agreement**

**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 a certificate of appropriateness with the City of Key West HARC Department.

**Count 3:** Failure to hire a licensed contractor.- **Irreparable**

This case had a settlement agreement between the City and Marc Barry. The Respondent stipulates to the imposition of the \$250.00 administrative cost. The Respondent shall bring counts 1 and 2 into full compliance no later than 30 April 2026. If the Respondent is not in compliance by the deadline, a fine of \$250.00 per count per day will be imposed. Also the Respondent stipulates to a fine in the amount of \$5,000.00 for the irreparable fine, of this amount \$2,750.00 shall be paid and the remaining \$2,250.00 is suspended. The total due to the City is \$3,000.00.

### **Adjournment**