



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Code Enforcement Hearing

Thursday, January 22, 2026

1:30 PM

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 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 Buechle

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 Buechle. 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.

7

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.

8

Case # CCBL25-33

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